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S E N A T E
State of Florida
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JOURNAL OF THE SENATE

Debbie Brown
Secretary of the Senate

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Journal
of the
S E N A T E
State of Florida



ORGANIZATION SESSION

November 20, 2012

**At an Organization Session of the Florida Legislature convened
under the Constitution of the State, as revised in 1968**

MEMBERS OF THE SENATE

(26 Republicans, 14 Democrats)

ORGANIZATION SESSION

November 20, 2012

- District 1: Don Gaetz (R), Niceville**
Bay, Holmes, Jackson, Walton, Washington and part of Okaloosa
- District 2: Greg Evers (R), Baker**
Escambia, Santa Rosa and part of Okaloosa
- District 3: Bill Montford (D), Tallahassee**
Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla
- District 4: Aaron Bean (R), Fernandina Beach**
Nassau and part of Duval
- District 5: Charles S. "Charlie" Dean, Sr. (R), Inverness**
Baker, Citrus, Columbia, Dixie, Gilchrist, Lafayette, Levy, Suwannee, Union and part of Marion
- District 6: John Thrasher (R), St. Augustine**
Flagler, Putnam, St. Johns and part of Volusia
- District 7: Rob Bradley (R), Fleming Island**
Alachua, Bradford and Clay
- District 8: Dorothy L. Hukill (R), Port Orange**
Parts of Lake, Marion and Volusia
- District 9: Audrey Gibson (D), Jacksonville**
Part of Duval
- District 10: David Simmons (R), Altamonte Springs**
Seminole and part of Volusia
- District 11: Alan Hays (R), Umatilla**
Parts of Lake, Marion, Orange and Sumter
- District 12: Geraldine F. "Geri" Thompson (D), Orlando**
Part of Orange
- District 13: Andy Gardiner (R), Orlando**
Parts of Brevard and Orange
- District 14: Darren Soto (D), Orlando**
Parts of Orange, Osceola and Polk
- District 15: Kelli Stargel (R), Lakeland**
Parts of Orange, Osceola and Polk
- District 16: Thad Altman (R), Rockledge**
parts of Brevard and Indian River
- District 17: John Legg (R), Trinity**
Parts of Hillsborough and Pasco
- District 18: Wilton Simpson (R), Trilby**
Hernando and parts of Pasco and Sumter
- District 19: Arthenia L. Joyner (D), Tampa**
Parts of Hillsborough, Manatee and Pinellas
- District 20: Jack Latvala (R), Clearwater**
Parts of Pinellas
- District 21: Denise Grimsley (R), Sebring**
Okeechobee and parts of Highlands, Martin, Osceola, Polk and St. Lucie
- District 22: Jeff Brandes (R), St. Petersburg**
Parts of Hillsborough and Pinellas
- District 23: Garrett Richter (R), Naples**
Parts of Collier and Lee
- District 24: Tom Lee (R), Brandon**
Parts of Hillsborough
- District 25: Joseph Abruzzo (D), Wellington**
Parts of Palm Beach
- District 26: Bill Galvano (R), Bradenton**
DeSoto, Glades, Hardee and parts of Charlotte, Highlands, Hillsborough and Manatee
- District 27: Jeff Clemens (D), Lake Worth**
Parts of Palm Beach
- District 28: Nancy C. Detert (R), Venice**
Sarasota and part of Charlotte
- District 29: Jeremy Ring (D), Margate**
Part of Broward
- District 30: Lizbeth Benacquisto (R), Ft. Myers**
Parts of Charlotte and Lee
- District 31: Christopher L. Smith (D), Fort Lauderdale**
Part of Broward
- District 32: Joe Negron (R), Stuart**
Parts of Indian River, Martin, Palm Beach and St. Lucie
- District 33: Eleanor Sobel (D), Hollywood**
Part of Broward
- District 34: Maria Lorts Sachs (D), Delray Beach**
Parts of Broward and Palm Beach
- District 35: Gwen Margolis (D), Coconut Grove**
Part of Miami-Dade
- District 36: Oscar Braynon II (D), Miami Gardens**
Parts of Broward and Miami-Dade
- District 37: Anitere Flores (R), Miami**
Part of Miami-Dade
- District 38: Rene Garcia (R), Hialeah**
Part of Miami-Dade
- District 39: Dwight Bullard (D), Miami**
Hendry, Monroe and parts of Collier and Miami-Dade
- District 40: Miguel Diaz de la Portilla (R), Coral Gables**
Part of Miami-Dade

Entire membership elected General Election, November 6, 2012
Districts with even numbers for a 2-year term
Districts with odd numbers for a 4-year term

OFFICERS OF THE SENATE

Don Gaetz, *President*
Garrett Richter, *President Pro Tempore*
Lizbeth Benacquisto, *Majority (Republican) Leader*
Christopher L. Smith, *Minority (Democratic) Leader*

Non-member Elected Officer

Debbie Brown, *Secretary of the Senate*

**MEMBERS AND OFFICERS OF THE SENATE
THE 2012-2014 FLORIDA SENATE**

President



Don Gaetz (R)
Niceville
District 1

**President Pro
Tempore**



Garrett Richter (R)
Naples
District 23

**Majority
(Republican)
Leader**



Lizbeth Benacquisto (R)
Ft. Myers
District 30

**Minority
(Democratic)
Leader**



Christopher L. Smith (D)
Fort Lauderdale
District 31



Joseph Abruzzo (D)
Wellington
District 25



Thad Altman (R)
Rockledge
District 16



Aaron Bean (R)
Fernandina Beach
District 4



Rob Bradley (R)
Fleming Island
District 7



Jeff Brandes (R)
St. Petersburg
District 22



Oscar Braynon II (D)
Miami Gardens
District 36



Dwight Bullard (D)
Miami
District 39



Jeff Clemens (D)
Lake Worth
District 27



Charles S. "Charlie"
Dean, Sr. (R)
Inverness
District 5



Nancy C. Detert (R)
Venice
District 28



Miguel Diaz de la Portilla
(R)
Coral Gables
District 40



Greg Evers (R)
Baker
District 2



Anitere Flores (R)
Miami
District 37



Bill Galvano (R)
Bradenton
District 26



Rene Garcia (R)
Hialeah
District 38



Andy Gardiner (R)
Orlando
District 13



Audrey Gibson (D)
Jacksonville
District 9



Denise Grimsley (R)
Sebring
District 21



Alan Hays (R)
Umatilla
District 11



Dorothy L. Hukill (R)
Port Orange
District 8

**MEMBERS AND OFFICERS OF THE SENATE
THE 2012-2014 FLORIDA SENATE**



Arthenia L. Joyner (D)
Tampa
District 19



Jack Latvala (R)
Clearwater
District 20



Tom Lee (R)
Brandon
District 24



John Legg (R)
Trinity
District 17



Gwen Margolis (D)
Coconut Grove
District 35



Bill Montford (D)
Tallahassee
District 3



Joe Negron (R)
Stuart
District 32



Jeremy Ring (D)
Margate
District 29



Maria Lorts Sachs (D)
Delray Beach
District 34



David Simmons (R)
Altamonte Springs
District 10



Wilton Simpson (R)
Trilby
District 18



Eleanor Sobel (D)
Hollywood
District 33



Darren Soto (D)
Orlando
District 14



Kelli Stargel (R)
Lakeland
District 15



Geraldine F. "Geri"
Thompson (D)
Orlando
District 12



John Thrasher (R)
St. Augustine
District 6

Non-member Elected Officer



Debbie Brown
Secretary of the Senate

Sergeant at Arms



Donald Severance



Journal of the Senate

ORGANIZATION SESSION

Tuesday, November 20, 2012

Journal of the Senate for the Organization Session of the Legislature to be convened under the Constitution of Florida, as revised in 1968, and subsequently amended, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 20, 2012, being the day fixed by the Constitution for the purpose.

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CALL TO ORDER

The Senate was called to order by outgoing Senate President, Mike Haridopolos, at 9:00 a.m. A quorum present.

PRAYER

Rev. Sterling Forrester, Chaplain and retired Colonel in the U.S. Army, led the Senate in remembrance of the late former Florida Senate President, Philip D. Lewis. Rev. Forrester is Senator Galvano's father-in-law.

On September 4, 2012, former Florida Senate President, Philip D. Lewis, died at his home in West Palm Beach at the age of eighty-two.

At this time, we join in honoring his memory in this place where he served so long and so well. He served in the Senate for ten years and became Senate President in 1978, the year the new Capitol officially opened.

He was a leader, a uniter, and a peacemaker. U.S. Senator Bill Nelson said, "We have lost one of the legends of the golden age of Florida politics. He was a dedicated and tremendous public servant who was admired and respected on both sides of the aisle."

The following prayer was offered by Rev. Forrester:

Almighty God and Father of us all, today opens a new chapter in the history of the State of Florida, and we seek divine guidance as we begin.

We pray for insight and wisdom in all matters that must be addressed, and we pray that the interest and welfare of all our citizens would be served in each proceeding of this body.

Should there be honest differences in challenging issues, may there yet be unanimity of dedication to the highest ideals of the democratic process.

May the State of Florida's rich heritage of the past give inspiration in the present and vision for the future.

Acknowledging that our state has been spared, we pray today for our fellow Americans still facing the devastation of a natural disaster.

In a world marked by conflict, we pray for peace. Especially, we lift up to you men and women in uniform from our state and throughout our nation who seek to preserve the cause of freedom, some of whom may be in harm's way this moment.

We ask your constant blessing in the lives of all who serve our state and in the lives of their families and loved ones.

Now, in both petition and affirmation, we pray God bless the Great State of Florida and God bless America.

In your holy name we pray, Amen.

COLOR GUARD

At the direction of President Haridopolos, the Sergeant at Arms opened the doors of the chamber and a Color Guard of the Navy Junior Reserve Officers Training Corps from Orange Park High School marched in bearing flags of the United States of America and the State of Florida.

The Color Guard included the following members: Cadet Seaman Apprentice, Dustin Williams; Cadet Petty Officer 2nd Class, Fuhteh Tsai; Cadet Petty Officer 2nd Class, Armando Tolentino; Cadet Lt. Commander, Eric Shafer; Cadet Lt. Commander, William Griffin; and Cadet Ensign, Haley Lamb.

PLEDGE

The following children and grandchildren of the newly elected Senators led the Senate in the pledge of allegiance to the flag of the United States of America: Bradley, Gray and Walker Bean; Connor, Stephanie and Caroline Bradley; Imani Thomas; Kiara and Symone Thompson; Robert, Hannah and Laura Stargel; Dylan and Alexa Chase; Jack and Evangeline Legg; Wilton Simpson, Jr.; Tyson Keen; Charlotte and Colin Brandes; Reagan, Brandon and Faith Lee; Riley Smith; and Michael, William and Jacqueline Galvano.

SPECIAL PERFORMANCE

President Haridopolos introduced Rebecca Chase, daughter of Senator Legg, who sang the "The Star Spangled Banner." Rebecca is an 8th grade teacher from Holiday, Florida, and attended Dayspring Academy for Education and the Arts, founded by her father.

OATH OF OFFICE ADMINISTERED

The oath of office was administered by the Honorable Ricky Polston, Chief Justice, Florida Supreme Court, to the recently elected Senators.

CERTIFICATE RECEIVED

The Secretary announced that The Honorable Ken Detzner, Secretary of State, had certified to the election of 40 Senators as follows:

**STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS**

I, **Ken Detzner**, Secretary of State of the State of Florida, do hereby certify that the following candidates were duly elected at the General Election held on the sixth day of November, A.D., 2012, to the office of Member, State Senate, as shown by the records of this office:

SENATE DISTRICT	ELECTED SENATOR
1	Don Gaetz
2	Greg Evers
3	Bill Montford
4	Aaron Bean
5	Charles S. Dean
6	John Thrasher
7	Rob Bradley
8	Dorothy L. Hukill
9	Audrey Gibson
10	David Simmons
11	Alan Hays
12	Geraldine F. Thompson
13	Andy Gardiner
14	Darren Soto
15	Kelli Stargel
16	Thad Altman
17	John Legg
18	Wilton Simpson
19	Arthenia L. Joyner
20	Jack Latvala
21	Denise Grimsley
22	Jeff Brandes
23	Garrett Richter
24	Tom Lee
25	Joseph Abruzzo
26	Bill Galvano
27	Jeff Clemens
28	Nancy C. Detert
29	Jeremy Ring
30	Lizbeth Benacquisto
31	Christopher "Chris" Smith
32	Joe Negron
33	Eleanor Sobel
34	Maria Sachs
35	Gwen Margolis
36	Oscar Braynon II
37	Anitere Flores
38	Rene Garcia
39	Dwight Bullard
40	Miguel Diaz de la Portilla

Abruzzo	Gaetz	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

ELECTION OF SECRETARY

President Haridopolos announced that nominations would be received for Secretary of the Senate for a term of two years and recognized Senator Smith who placed in nomination the name of Debbie Brown.

Senator Smith: Mr. President, we had a great event in the Old Capitol yesterday. After the event, a lot of people came up to me and said, "Oh what a wonderful event. You did a great job." This day has been great also. I'm sure that people are going to say the same thing to Senator Gaetz. But we didn't do the work. Who did the work? The hundreds of people who come to work in the Capitol every day. They drive hours across God's country to get here. They put in the time and effort. When we come up with an idea, they write the bills and get them in the right posture. If we're lucky, before we get too far out there on an issue, they whisper in our ear that it's not a bright idea. We are so blessed in this state to have such great staff—people who are dedicated not just to a job but to a cause. Their cause is to make this state better.

Debbie Brown is one such person. She is a dedicated person who drives hours to get here every day. She is active in her community. She is active in her church, Grace United Methodist Church. She is a mother of two and a grandmother of four. She is a person who loves the Senate, and she has dedicated so much time to the Senate.

A great testimony about Debbie happened last year when we were doing reapportionment. The Supreme Court said we had to come up with a way to create the districts for four-year and two-year terms. Somebody came up with the bright idea that if you want to make it random, let's do a lottery. That was an idea from a member. It was on Debbie's shoulders to make it happen. It was up to her staff to take our crazy idea and make it into a very dignified and responsible way of conducting business. Her staff came up with a great method. Even with a little bump in the road, they remained professional and did their job. That's a testament to the type of staff that she has around her and the type of leadership that she has given to the Senate.

Mr. President, I am so proud not only to nominate Debbie, but to know Debbie Brown and be associated with her. She embodies the Senate. She embodies a person who does her job every day with passion and compassion because she believes in our great state. She works every day to make this state better. I believe she will work every day to make the Senate the best place it can be. Thank you.

By unanimous consent of the membership, Debbie Brown was elected Secretary of the Senate for the 2012-2014 term.

OATH OF OFFICE ADMINISTERED

Secretary Debbie Brown, accompanied by her son Michael Richter, her daughter-in-law, Heather, and their two children, Maddie Grace and Brayden, was administered the oath of office by The Honorable Ricky Polston, Chief Justice, Florida Supreme Court.

RECOGNITION OF SERGEANT AT ARMS

President Haridopolos recognized Senator Latvala who thanked Donald Severance, Senate Sergeant at Arms, for his dedication and service to the Florida Senate.



GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capitol, this the 20th day of November, A.D., 2012

Ken Detzner
SECRETARY OF STATE

ROLL CALL

The roll of the Senate, as constituted by the 40 newly elected members, was called by the Secretary in alphabetical order and the following members of the Senate were recorded as present:

RECOGNITION

Senator Negron recognized the spouses of the reelected and newly elected Senators.

SPECIAL GUESTS

President Haridopolos introduced the following guests: Governor Rick Scott, Lieutenant Governor Jennifer Carroll, Attorney General Pam Bondi, former Senate President and Chief Financial Officer Jeff Atwater, Commissioner of Agriculture Adam Putnam, and Chief Justice of the Florida Supreme Court Ricky Polston.

President Haridopolos announced that in addition to former Senate Presidents Gwen Margolis and Tom Lee, who serve in the Senate, the Senate was honored by the presence of the following former Senate Presidents: John McKay and his wife, Michelle; Ken Pruitt and his wife, Aileen; and Jim Scott.

President Haridopolos also recognized former Senators Curt Kiser, Steve Geller, Ron Silver, Larcenia Bullard, Carey Baker, and Van Poole.

ORGANIZATION

The Senate proceeded to the organization of the body.

NOMINATIONS FOR PRESIDENT

President Haridopolos announced that nominations would be received for President of the Senate, pursuant to Article III, Section 2 of the Constitution, for a term of two years.

President Haridopolos recognized Senator Detert who placed in nomination the name of Senator Gaetz of the 1st Senatorial District.

Senator Detert: Mr. President, ladies and gentlemen, Governor Scott, distinguished guests, past presidents, friends and family members.

The citizens of our wonderful state have elected those in this room to represent them and have entrusted us with the responsibility to choose a leader from our body who has the brains, heart, and vision to protect our fragile state, leaving it better than we found it. In the last few years, Florida has had economic, environmental, and employment challenges. At one time, one million Floridians were unemployed and the BP oil spill threatened not only the economy of the Panhandle but the beauty of the entire Florida coastline. We had budget shortfalls in the billions, and, to top it all off, we had to reapportion the voting districts for the state. To deal with all of these tough issues, we invariably turned to the man from Niceville—Don Gaetz.

Don chaired the redistricting committee and held hearings around the state for public input. Asking for public input is always risky, but Senator Gaetz, accompanied by Vicky, cheerfully drove all over the state. Some citizens confused the idea of “public input” with “political persecution,” but Don would suffer brick bats, slings and arrows, and all kinds of abuse, and then, with a smile, say, “Thank you for your input” and call the next name. One woman in my district even attacked Don for being too cheerful. Don never backs down from a challenge—he just forges ahead.

Those of us who have worked with him know Don has the brains for the job. We have seen him handle every tough issue. Those of you who have not worked with Senator Gaetz or who are not familiar with pithy, aureate, and palaver, or who don’t know the meaning of the word bloviate had better invest in a thesaurus and keep it in your desk drawer. Don was the captain of his debate team and can verbally leave us behind pretty quickly.

Don’s personal experiences have given him the heart for this job. His Senate experience has proven that he not only has a vision, but knows how to implement a vision. As legislators, we know that the laws that we propose and the bills that we vote on are often colored by our life’s experiences. Don Gaetz’s experiences in health care, education, business, and government give him the perfect background to deal with the problems facing Florida today.

I first met Don when I was serving as a House member. Don’s reputation truly did precede him. While serving as the Chair of Commerce, I heard about a superintendent of schools in the Panhandle who had a remarkable program for students who were not college-bound. As a former school board member myself, I know that parents always feel that you are “writing their kids off” if you suggest that they are not college material. Superintendent Gaetz was able to connect the dots between what we teach and what jobs were available in his community. He was able to light the tunnel and show students and parents what their future would look like if they applied themselves in high school. He created programs that made our high school graduates work-ready and able to qualify for good paying jobs even if they didn’t go to college.

Don Gaetz was the first non-educator ever elected as Superintendent of schools in Okaloosa County, and he brought that school system from a “C” average to an “A” school system in a very short period of time. Don’s appearance before my committee always stuck with me. Once met, Don is hard to forget.

Don and I share a love of the language skills of Sir Winston Churchill. One of Churchill’s least known quotes is, “When you are going through hell, keep going.” I use this unusual quote to say that while Don has been enormously successful in his business career, he and his wife, Vicky, were not exempt from personal challenges. I am certain that there were times when they were going through hell, but they just kept on going. It is true “that which doesn’t kill you makes you stronger,” but it also teaches you humility and empathy for others.

Don’s life experiences make him a leader who will protect our fragile environment, educate our children, and create a business climate in Florida which assures financial stability for now and for the future. With Don’s educational background, I am sure that he will agree that Florida is like a gifted child who has not yet reached his or her full potential. And, I am sure that with Don’s innate vision and optimism, he will agree that when Lady Gaga sings about being “On The Edge of Glory,” she probably means Florida.

So these are the qualities that have given the man from Niceville the brains, the heart, and the vision to be our next Senate President. It is my personal privilege and honor to nominate Senator Don Gaetz.

President Haridopolos recognized Senator Montford who seconded the nomination of Senator Gaetz.

Senator Montford: Thank you, Mr. President, I rise to second the nomination of Senator Don Gaetz for President of the Florida Senate. Don Gaetz is a dear friend. I have known him for many years and I have grown to respect him more with each year.

My nomination might seem surprising to my fellow Senators because I stand with the minority party, but right now the stakes are too high to sit in silence. There are fishermen and oyster men not an hour away who cannot feed their children tonight, workers who haven’t seen a pay check for far too long, and children from the hills and coast of North Florida to the blue waters of the Keys whose only meals will come from their schools. As this Session approaches, we need a strong leader who is not afraid of the tough policy issues we will face. This leader is Senator Don Gaetz.

Senator Gaetz will lead with a keen sense of justice, an astute understanding of the challenges at hand, and the conviction that policies benefiting the State of Florida should always come before politics. The great State of Florida is facing issues never previously thought possible, and if we are to have any hope of solving these challenges for the people of Florida, we must be willing to reach across the aisle and district lines and even state boundaries in the case of the Apalachicola River.

Let us not forget the privilege we have with 15 new members representing the voices of almost 500,000 Floridians each, and the wealth of new information and commitment they bring. We will need a leader who knows it’s gravely important to listen to these new members. Senator Gaetz will be the President of every single member of this chamber. I nominate him because he will be the unifying force that we so desperately need and, honestly, we can’t afford not to.

Senator Don Gaetz is a proven success. His interests are diverse, but there is one thing that ties them all together: he has been successful with all of them. He has seen tremendous success as founder of a successful

health care company. One thing we all know about Senator Don Gaetz is he understands money. We have all experienced his skills as a renowned debater. His presence in the chamber has been both forceful and convincing. He is not only articulate in the Senate, but also with many groups across many walks of life. I have seen him in one-on-one conversations, and his compassion and understanding is obvious, even with my own nine-year-old grandson, Jake, who by the way, still remembers his conversation with his “granddad’s friend, Mr. Gaetz.” Jake still proudly displays the portfolio that the “Boss of the Senate” gave him.

Senator Gaetz’s abilities carried over into a successful career in education. He was an outstanding school board member and superintendent. He reached across school district lines and helped establish programs that were of great benefit to all students. The children who he had the honor of serving will feel the effects of his good judgment and strong sense of right and wrong for years to come. The business realm, the education world, and every person who has had the pleasure of working with him can attest to the proven leadership abilities he possesses. His effectiveness as a leader is obvious in every walk of life he has taken.

What Florida is in need of now is an effective leader who is sensible and sensitive and one who not only understands the issues but also the solutions. He is one who not only hears the majority but also the minority; one who cares about the citizens and who can also feel the pain of those in need. Senator Don Gaetz has the diversified style of leadership and compassion that will serve this chamber well. We all know that these are tough times and, with Senator Don Gaetz as President, we will all know we can successfully address them.

Senator Gaetz is not solely a man of business but also a family man. He has a beautiful family who supports him as any great man needs. His wife Vicky, his son, Representative Matt Gaetz, and his daughter, Erin, have always been there for him. They are a team.

My roots run deep in Florida history. My grandchildren are seventh generation North Floridians; this is something of which I am very proud. I, like you, love Florida and recognize Don Gaetz’s dedication to this state. I know that his dedication to the people here is profound. We will not always agree; we will have significant differences of opinion. But sitting at a table with Senator Gaetz, I know we will be heard. As President, Senator Gaetz will provide the leadership for us to be an effective and sensitive body. For these reasons it is with great honor that I second the nomination of Senator Don Gaetz for President of the Florida Senate.

MOTION

On motion by Senator Dean, nominations for President were closed.

ELECTION OF PRESIDENT

The roll was called on the election of the President and each Senator voted in the affirmative by saying “Don Gaetz.”

The vote was:

Yeas—39

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Joyner that a committee be appointed to escort Senator Gaetz and his family to the front of the chamber, President Haridopolos appointed Senators Bean, Hukill, Thompson, Galvano, and Clemens. Senator Gaetz was escorted to the front of the chamber with his wife, Vicky, daughter Erin, who held the family Bible, and son Representative Matt Gaetz, who administered the oath of office. The committee then escorted President Gaetz to the rostrum.

Senator Haridopolos: Before I officially hand over the gavel to my friend, Don Gaetz, I want to mention a couple of things. First and foremost, to all Floridians, especially to all those here today who I have been honored to serve with for many years, on behalf of my wife, Stephanie, and my children, Reagan, Alexis, and Hayden, and my parents, I want to say thank you very much for the opportunity and honor of a lifetime. It has been a true pleasure to work with our Cabinet and Governor. I’m thankful for that opportunity.

I must say as a Floridian, I am truly excited about this new Senate. You have the energy and the ability to bring a new level of success. You have elected a truly remarkable man—a man who is truly a leader. I think that the number “1” next to his name is very appropriate. He’s a fighter. He’s a man of accomplishment. He is our leader and it is my pleasure to hand the gavel to the President of the Florida Senate, a man who I think will take this Senate and our state to greater heights. Congratulations, Mr. President.

President Haridopolos presented the gavel to President Gaetz, the 85th President of the Florida Senate since statehood.

PRESIDENT GAETZ PRESIDING

President Gaetz presented outgoing President Haridopolos with the gavel from the 2010-2012 term.

NOMINATIONS FOR PRESIDENT PRO TEMPORE

The President announced that nominations would be received for President Pro Tempore of the Senate for a term of two years.

The President recognized Senator Gardiner who placed in nomination the name of Senator Garrett Richter of the 23rd Senatorial District.

Senator Gardiner: Good morning. It is truly an honor to nominate Senator Garrett Richter for the position of Senate President Pro Tempore. The position of Pro Tempore has had a colorful history here in Florida, including in 1868 when the State Constitution identified the Pro Tempore as the third in line to the Governorship. The Pro Tempore has taken many roles, but the most important is that the Senator named to this post presides over the Senate in the President’s absence and exercises the powers of the President. These powers and responsibilities are what make this decision so important. The Pro Tempore needs to be a Senator who we trust, is a proven leader, and has a servant’s heart. Senator Richter is the perfect choice.

Senator Richter is joined today by his wife of 38 years, Diana; they have three children and three grandchildren. Daughter Melissa is married to Alex Bartolini. They have one son, Santiago. Elizabeth is married to Brian Psota, and they have two children, Ian and Leah. Robert Richter lives in the Republic of Panama and is an international businessman. Family is very important to Senator Richter. He has often advised young leaders that juggling responsibilities is like juggling balls. All are rubber except one; that one is glass. That is your family. Don’t ever drop the glass ball.

Senator Richter began his chosen profession, banking, in 1969 at Mellon Bank in Pittsburgh. His first job was as a janitor at that bank. Senator Richter would wear a suit to work every day, change into janitor clothes, work his shift, and then put his suit back on for the ride on the bus back home. Eventually, he was offered a job in the Trust Department at the bank by a man he rode the bus with every day. Before he could start that job, he was given another job he could not refuse. He was drafted into the Army and served in Vietnam.

He served as a “tunnel rat.” This was more or less an official specialty for volunteer infantrymen, primarily from the United States, Australia,

and New Zealand. The Viet Cong created an extensive network of elaborate underground tunnels. When troops would come across these tunnels, tunnel rats were sent in to investigate, eliminate the enemy, and eventually blow up the tunnels. For his service, Senator Richter received the Combat Infantry Badge and a Bronze Star.

After Vietnam, you could say the rest is history. He returned on Friday and started work on Monday at Mellon Bank in the profession he continues to this day. In 1987, he was transferred to Naples. Two years later, he left Mellon to join Gary Tice and started First National Bank of Naples. They began with 14 employees and it grew to become the largest community bank headquartered in Florida with over 1,400 employees. He currently serves as President of First National Bank of the Gulf Coast.

Senator Richter often quotes his dad. One of his favorite quotes is “learn, earn, and return.” Senator Richter certainly has done that. As a community leader, he helped shape Southwest Florida. He was elected to the Florida House in 2006, serving one term before being elected to the Senate in 2008. He spent the last four years as Chairman of the Banking and Insurance Committee, where he focused on reshaping Citizens Insurance.

Senator Richter has never had a serious political race. He did have a libertarian once who, at a public forum with Senator Richter in attendance, announced that he was voting for Garrett. This is a testament to the belief that your community pushes you forward in the role of service.

I called Senator Bennett and told him I was nominating Garrett, and his first reaction was, “What a great, great guy.” It was summed up when Senator Bennett gave his going away speech, and with tears in his eyes, he spoke about that friendship. It is the friendship that each of us has with Senator Richter which is so important to this chamber. There are a couple of stories that I think would be appropriate for the record. They tell about an individual who is tenacious and persistent. We have all seen Senator Richter on this floor fighting for insurance issues, banking issues, all for what is best for the State of Florida. Some he won and some he lost. One particular story that Representative Nelson and Senator Bennett discussed is that Senator Richter is persistent. In one particular golf tournament, Senator Richter was so convinced that he could make a par 3 over water that he hit eight golf balls in a row into the water before he made it onto the green. As Senator Bennett said, in typical Richter fashion, they weren’t his golf balls, they were Senator Bennett’s golf balls.

He’s been a loyal friend. When Senator Richter was in the House and was elected to the Senate, he bought a chauffeur’s hat for Representative Nelson to drive him around at night. He and Senator Bennett were downtown and needed a ride home. They would call Representative Nelson, who would put on his hat, come pick them up, and drive them home. So we’ve ordered 120 of those chauffeur hats for the House members. Just kidding.

Senator Richter is tenacious. We have all seen firsthand his work on insurance and other financial issues on this floor, debating with passion what he believes to be best for his constituents and the State of Florida. Senator Richter is persistent. Senator Richter is a loyal friend. He once said you earn your reputation by the decisions you make and the friends you keep. The friendship that Senator Richter has shown to each of us is without question. Senator Bennett, here on this floor, described that so well with tears in his eyes.

Senators, I cannot think of a better partner for President Gaetz than Senator Richter. He is a proven leader. He is a man of integrity. There is a verse in the poem “If,” by Rudyard Kipling, that Senator Richter is known to cite:

If you can talk with crowds and keep your virtue,
Or walk with Kings—nor lose the common touch,
If neither foes nor loving friends can hurt you,
If all men count with you, but none too much:
If you can fill the unforgiving minute
With sixty seconds’ worth of distance run,

Yours is the Earth and everything that’s in it,

And—which is more—you’ll be a Man, my son!

Senator Richter, you are that man. Your diligence, loyalty, and integrity will serve us all well throughout the next two years. I am honored to call you my friend, and I am proud to nominate you for President Pro Tempore.

The President recognized Senator Ring who seconded the nomination of Senator Richter.

Senator Ring: Thank you Mr. President. I rise today to second the nomination of my good friend, Senator Garrett Richter, as Senate Pro Tempore.

I’ve had the good fortune of getting to know Garrett and his wife, Diana, over the past four years. I’ve learned a lot and there is a lot to truly admire. Some relationships develop over time and others develop through one moment where an instant bond is apparent. For Garrett and myself, the latter was true.

A few sessions ago, Garrett was sponsoring a controversial bill that revised the workers’ compensation statutes. On the Senate floor, I proposed a strike-all amendment to his bill. Essentially, that day, the Senate was debating two separate workers’ compensation bills, one mine and one his. Both of us knew that we were in for a fight on the floor and we needed to secure our votes prior to the debate. After hours of debate, which is the norm for a Garrett Richter bill, his version defeated mine by a 21-19 vote. Prior to that day, we were colleagues with mutual respect. By the end of the day, we were still colleagues with mutual respect, but we developed a true friendship that will last long past our time as members of this esteemed body.

After session that day, I went to visit Garrett in his office to offer congratulations on his victory in a hard fought legislative debate. Not surprisingly, he welcomed me to his office and, also not surprisingly, he had a bottle of scotch waiting to be opened. We opened it for sure. We sat together for several hours, not replaying the events of the day, but using that precious time to really get to know each other. That night, I learned a lot about Garrett. We spoke about love for family, which is front and center of everything Garrett represents. In addition, I was fascinated with his experience as a successful banker. I listened to stories of how he founded a community bank, sold it, and was waiting to start another.

Subsequently, Garrett and I began to spend more time together and to understand each other more. Each new part of his life, I learned, began to create a larger narrative. Garrett’s life wasn’t about one specific event, but rather a collection of events with a singular theme. His entire life was centered on service—service to his family, service to his faith, service to his community, service to his state, and service to his country.

Any discussion of Garrett’s service begins and ends with his family. As the very proud “Mr. Diana Richter,” he and Diana have enjoyed a nearly 40-year marriage, raising three civic-minded and successful children. As we all know, there is not a prouder grandfather than Garrett.

Garrett has served his faith. As an observant Presbyterian, Garrett has been very active in his church. When the church was going through hard times financially, it was Garrett the congregants turned to for expertise to solve the crisis. Because of him and other committed individuals, the church is thriving today.

Garrett has served his community. He has served on numerous civic boards and founded community banks. He has employed dozens of individuals and always had their interests first. After selling one bank, he waited until his non-compete ended and launched another. As a successful banker with a track record of success, he would have been successful in any capacity in the financial service sector, but his passion was and remains community banking.

Garrett has served his state—first, as a member of the Florida House of Representatives, then as a member of this esteemed body. He is the least political of politicians. He is a quiet policy wonk who, each year, takes on the most challenging issues in this chamber. We all know when a Richter bill is on the agenda, the debate will be long and the issue will be complex. We all get asked, “What are your most important issues that you care about?” With Garrett, the most important issue to him is

whatever the greatest issue of the day is that effects the most Floridians. The more complex the issue, the more Garrett thrives.

Garrett has served his country. As has deservedly been documented, Garrett was a decorated Vietnam Veteran. He will tell you that service of his country gave him his purpose, and we are all the beneficiaries of that service.

By all measures, Garrett has led a life that is fulfilled. It is filled with service. It is filled with humble service. I know it's that humbleness that makes this role somewhat bittersweet. Why? Because as Pro Tempore, Garrett now moves to the front of our chamber. Although he deserves to be up front, he is one of the few politicians who doesn't search for accolades, doesn't want the ceremony, and is happy doing the people's work without recognition. In a roomful of individuals who savor attention, Garrett savors only service—serving his family, his faith, his community, his state, and his country without the need of anyone watching. While sitting in the back of the chamber may have suited him best, sitting in the front of the chamber suits the citizens of Florida best.

Mr. President, it is with great honor that I second the nomination of my friend, Senator Garrett Richter, as Senate Pro Tempore.

MOTION

On motion by Senator Flores, nominations for President Pro Tempore were closed.

ELECTION OF PRESIDENT PRO TEMPORE

The roll was called on the election of the President Pro Tempore and each Senator voted in the affirmative by saying "Garrett Richter."

The vote was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

OATH OF OFFICE ADMINISTERED

On motion by Senator Benacquisto that a committee be appointed to escort Senator Richter and his family to the front of the chamber, the President appointed Senators Bradley, Stargel, Brandes, Abruzzo and Bullard. Senator Richter was escorted to the front of the chamber with his wife, Diana, his daughters Melissa and Elizabeth, who held the family Bible, his son Robert Richter, who administered the oath of office, and grandson Santiago. The committee then escorted Senator Richter to the rostrum where he was received by the President and seated.

ADDRESS BY PRESIDENT PRO TEMPORE

Senator Garrett Richter: Thank you, Senator Gardiner, and thank you, Senator Ring. Leader Gardiner, you've been a great friend and colleague. You are a family man first. I've enjoyed our years serving together and look forward to the next four. Senator Ring, Senator Wise, and myself made up the "short caucus." Senator Ring, you are also a valued friend with keen business instincts. It certainly is an honor to be nominated for President Pro Tempore by the two of you. Each of you has earned my respect, you've earned the respect of your colleagues, and

you've earned the respect of your communities. Thank you for the nominations.

Senators, it is with respect for all of you that I proudly accept this nomination. Over the course of my lifetime, I've had the opportunity and challenge to deliver various speeches to many different groups of people, as each of you has. I am confident that each of you knows the feeling that runs through your mind when preparing your remarks. What can I say that has meaning, what can I say that will have a positive impact, what can I say that will be remembered, and how can I say it without taking too much time? Well, I'm hoping for three out of four.

We all know what an honor it is to be elected to the Florida Senate. To be privileged to serve our community and our state is awesome—the Florida Senate is awesome! As a Florida Senator, I have been very blessed to have a tremendously talented and loyal staff. Becky Kokkinos is my Chief Legislative Aide, and she is extraordinary. She anticipates the needs of our constituents, she anticipates my needs in this legislative process, and she responds timely and right on point. Sandy Mummert is also my Legislative Aide, and she holds the fort down in Naples when we are in Tallahassee. I know that each of you in this chamber has dedicated legislative aides that stand in front of you on constituent issues. I have never met a person more dedicated to our constituents and more tender when she deals with their troubles. Michael Nacheff is my third legislative aide. When asked about the last two years and what has given me the most satisfaction, I respond, "watching Michael grow." Michael joined my staff right out of FGCU and has quickly become invaluable. He plunges himself into the policy issues. He is dependable, knowledgeable, and valuable to my office and our community. And, I might add, Michael got married the day before yesterday. Congratulations Michael and Felicia. The dedicated effort of these three wonderful people is the single greatest reason I was re-elected without opposition this year. Becky, Sandy, and Michael, you all have earned my admiration and I'm so proud to call you all my teammates.

Had it not been for the Florida Senate, I would not have made one of the most endearing friendships of a lifetime. I'm referring to my friendship with Senator Mike Bennett. Senator Bennett told me this was the most addictive job he's ever had. Well Senators, I can tell you that having a friend like Senator Bennett is also addictive, and it's a good addiction. Senator Bennett quickly became my mentor, my friend, and my drinking partner. He will continue to be all three of these, but in different doses now. When asked what this Pro Tempore title means, I affectionately say, "I think it means more focus, less Heineken, and less Bennett." Well maybe! To Senator Bennett, thank you for your loyal friendship. We'll take this friendship with us everywhere we go, forever!

To be asked to be President Pro Tempore is a great honor. To be asked by President Gaetz elevates the honor tremendously. President Don Gaetz is a fierce advocate for the entire State of Florida. He's a leader who understands the importance of the economy and job creation, a leader who is business savvy, academically savvy, and equally important, if not more, common sense savvy! He is a leader who knows how important job creation is to a healthy economy. He's also a leader who understands that education is an economic imperative. A man who knows the value and importance of a reputation, your personal reputation, and the reputation of the Florida Senate. President Gaetz, thank you for your confidence in me, thank you for your friendship, thank you for your leadership, and thank you for your faithful commitment to the great state of Florida! I'm anxious to begin our journey through the next two years. Thanks again for your confidence in me.

Last week, the newly elected Senators were in Tallahassee participating in a two-day orientation. I had the privilege of addressing these fine, new Senators. In my remarks, I spoke about my returning home from Vietnam in 1971. I was having one of those meaningful conversations about life with my father. I was 21 years old and had just returned home after serving with the 75th Ranger Company in the Vietnam jungle. My Dad was telling me that Vietnam was now in the rear view mirror and that my future was in the windshield. He explained that the windshield is about 100 times larger and more important than the rear view mirror. He suggested that I glance back into the rear view mirror from time to time to see where I've been and to see who's behind me, but my future is in the windshield. He told me that if I spend too much time staring into the rear view mirror, I'll crash and burn. I offer that good advice to all of you this morning.

Many of you have faced tough elections. You've knocked on doors, you've debated your opponent, you've contrasted your opponent to yourself, and you've taken your campaign message to your constituents at every opportunity. I suggest to you today that your campaign is now in your rear view mirror. Your future is in the windshield and it is, in fact, more than 100 times greater! As we travel together into the future, we must always be aware of how important our reputation is. Together we know that there is only one way to get a reputation, and that is to earn it! If we have a good reputation, it's because we've earned it. Likewise, if we have a bad reputation, it's also because we've earned it. We earn our reputation by the choices we make. We earn our reputation by the actions we take. We earn our reputation by the way we treat other people. We earn our reputation by the company that we keep. Our reputation is just like our shadow, sometimes it's behind us and other times it's in front of us. Often, our shadow is much bigger than we actually are. Other times it's smaller. When our shadow is behind us, it follows us everywhere we go. You can't escape your reputation. And, when your shadow is in front of you, your reputation is in front of you, and that means wherever you're going, your reputation will get there first!

I remember when my son was a teenager and asked for the keys to my car one night. I tossed him the keys and told him to be careful. He said, "Dad, I'll drive safely, don't worry." I told him, "Son, I'm giving you two things to take with you tonight, my car and my name. I'm not worried about the car; my name is much more important than the car. Be very careful with my name. If the car is damaged, we can easily fix it. Don't damage your name, that doesn't fix as easily." I am proud of the reputation of the Florida Senate. Together, let's always protect her reputation. Let's proudly walk with our shadow.

I also recall my dad telling me that a good recipe for life is to Learn, Earn, and Return! Each of you instinctively understands this good recipe. Learn, Earn, and Return said differently—Learn, Earn, and Serve! That's what all of you have done and are doing. Together, we will serve Florida with great intentions and mutual respect.

In David Walker's book, *Comeback America*, he writes that one of the reasons that the Roman Empire collapsed was the lack of political civility! We certainly have seen a lack of civility in Washington. That is not the case in the Florida Senate. This Senate Chamber is a chamber of ideas; it is a chamber of respect; it is a chamber of disagreements, but not disagreeably! It is a chamber that acts responsibly for the betterment of our state. Walker also states that another reason for the collapse of the Roman Empire was a central government that was fiscally irresponsible and out of control.

Each of you can be proud of the fact that in Florida, our government is fiscally responsible and very much under control. In a bi-partisan manner, the Florida Legislature has continually sent the Governor a balanced budget that he has been able to proudly accept and approve. Together, with Governor Scott and our colleagues in the House, we can continue down this path of economic recovery in a responsible manner; a recovery that is ignited by a constant emphasis and commitment to job growth and education.

As many of you know, I didn't receive my high school diploma at the same time as my classmates in June, 1968. Having failed chemistry in my senior year, I had to go to summer school to retake chemistry. Because I didn't graduate in June, I couldn't get into a college in September. My father instructed me to get a job. That's how I got into banking. I accepted full-time employment at Mellon Bank in Pittsburgh as a janitor and an archives clerk. Within a year, I was offered another full-time position with the United States government. This was an offer I just couldn't refuse. I joined the Army in 1969. After being discharged from the Army in 1971, I returned to Mellon Bank where I resumed my banking career. Sixteen years later, I was transferred to Naples, Florida, to start a corporation for Mellon Bank. At no time did I ever consider seeking public office. I knew for sure that I didn't want to leave Florida (I was transferred here in February).

In 1987, I left Mellon and hooked up with my current business partner and very best friend, Gary Tice. Together we started a small community bank in Naples. Gary taught me that the answer is always "no" if you don't ask. Gary reinforced the value and significance of a handshake and the importance of a reputation. Gary was the vision behind our success as we grew the bank from 14 employees in 1989 to 1,400 employees in 2004. In 2005, our bank was acquired and Gary and I entered into a four-year no-compete agreement. I still had not considered seeking public

office, but I did recall the advice from my father and his recipe for life, Learn, Earn, and Return. With this recipe for life in mind, I ran for public office. I was elected to the House in 2006 and the Senate in 2008. I remember my becoming a State Senator like it was just yesterday.

Diana and I celebrated our 38th wedding anniversary last month. After being sworn in as a State Senator, Diana and I enjoyed a good dinner and a nice bottle of wine. As I pondered over the reality of becoming a Florida Senator, I very thoughtfully looked at my wife and said, "Honey, in your wildest dreams, did you ever think that I would be a Florida State Senator?" Diana looked at me and said, "Garrett, you're not in my wildest dreams!"

As I stand here and look at my wife and my three wonderful children, and the youngest of my three grandchildren, my heart is exploding with pride. Yes, being in the Florida Senate is an awesome challenge and tremendously rewarding. In fact, it has surpassed my wildest dreams. Being married to Diana and, looking at our children who have become great citizens and fabulous parents, causes me to expand my chest and stand tall with pride.

I mentioned earlier that Senator Ring and I were in the "short caucus." Well, when I look at my family and I think about my kids, my son-in-laws, Brian and Alex, and their children, Ian, Leah and Santiago, I become the tallest person in the universe! Measured against everything and anything that I have ever done or been involved with, my family is number one! Diana, Melissa, Elizabeth, Robert, and Santiago, you motivate me; you are the source of my greatest pride. You are the reason that I consider my shadow before I make any choices whatsoever! I love you all dearly.

Diana, I've loved you the longest. You are the absolute greatest person to ever come into my life. You are an admired and passionately loved mother and Mimi. Our family is what it is today because of your love, your leadership, your compassion, and your tremendous insight. I love you.

Senators, I know that each and everyone of you is busy, busy, busy. At any one time you each have 15 balls in the air that you are juggling. You have the policy decisions we'll be faced with over the next five months. You have your private lives and the challenges that come with an economy that is limping along. You have young family members who you are responsible for rearing, and you have elderly family members for whom you may be responsible for caring. Yes, you are each juggling 15 balls; remember, 14 of the balls that you are juggling are rubber. One of the balls is glass. The rubber balls will bounce back up. The glass ball is your family. Don't drop the glass ball.

I mentioned that the honor to serve as your Pro Tempore was elevated because the call was made by President Gaetz. I say this because President Gaetz values his reputation. He is proud to travel with his shadow anywhere that he goes. He loves his family, and it certainly shows. To Vicky, Erin, and Representative Gaetz, today is another day in many that your chests swell with tremendous pride. Your husband and father is a role model for our state and nation. He is a man who has earned my respect; he is a man who I will proudly serve. He is a man whose company I am proud to keep! Senate President Don Gaetz, thank you for this honor. I accept the appointment and look forward with great expectations to being your President Pro Tempore.

COMMUNICATION

By direction of the President, the Secretary read the following communication from the Minority (Democratic) Office:

Debbie Brown, Secretary
The Florida Senate

November 19, 2012

Dear Madam Secretary:

This is to certify that the Senate Democratic Caucus met today for the purpose of electing a Democratic Leader and Democratic Leader Pro Tempore. The Caucus has elected Senator Christopher "Chris" Smith as the Democratic Leader for the 2012-2014 Term and Senator Maria Lorts Sachs as the Democratic Leader Pro Tempore for the 2012-2014 Term.

Additionally, Leader Smith announced the appointments of Senator Oscar Braynon II as Democratic Whip, Senator Darren Soto as Democratic Deputy Whip and Senator Bill Montford as the Democratic Policy Chair for the 2012-2014 Term.

The President recognized Senator Smith for brief remarks.

Senator Smith: Thank you Mr. President. I want to thank you for this opportunity to give brief remarks. During my swearing-in, I had a lot of people standing on this side, and I asked for special permission because it is something special to me. It is my last time being sworn in to the Legislature. First, I want to thank my wife and my two children who are here with me. My little one, Christian, almost put his hand on the Bible following the Gardiner children. He stood there and it meant so much to me. That's what it's all about. We talk so much about family and about having family with us. That's why we work hard and that's what we're here for. I have my wife here who has been a single mother for months now. She has taken on the responsibility of raising the children and doing everything while I'm out on the road. She's a champion in our household. Beyond our household, she is very active in the community. She led voter rallies, she runs the City of Lauderhill, and just does a tremendous amount of work. I spoke earlier about our staff here, but another hard-working staff are those family members that we have at home, who hold down the fort and do all those things while we are back and forth in Tallahassee. I want to thank my lovely wife for standing here with me today.

Standing behind me, on this side, are my aunts and uncles. Years ago, my grandmother passed away. We have a close family. I think about 55 of them came today and are up in the gallery. My aunts and uncles are on the floor. I asked special permission for them to be here. When my grandmother passed, they stepped in the gap. My Auntie Rose, the matriarch of the family, started making sure that the family stood together. My Aunt Gladys, during my first campaign, opened the campaign office and worked there every single day. My Aunt Bertha, who sold insurance back in the day, walked door-to-door every day. My Uncle Gene, who is a strong role model in our family, kept us together. My Uncle Mickey drove me to college and was always there for me. Also sitting with them is a gentleman who was with me in the House and has always been around, Bob Huebner. I've mentioned before that he is a surrogate father for me. He hired me back in high school to be a runner in his law firm. He just couldn't get rid of me after that. I like to say that he is my other conscience. He's a former Republican County Commissioner and an active Republican who calls me about every day when he reads a quote from me. They stood in the gap for me when my grandmother passed. They've always been there for me. They've worked hard for me.

As we enter this legislative session, I have to remember that I am a very blessed man. I am very lucky that I had them standing in the gap, helping my mom out when she couldn't come up with the rent; helping my mom out when I was just too much to handle at school; and helping my mom out when I was in trouble. Not all Floridians are that lucky. Not all Floridians have aunts and uncles, a great mother, and family to stand in the gap for them. As we go through this legislative session, let's remember those who are not as blessed as you or me. Let's remember that they don't have those families that stand forth. That is why we work so hard. I look forward to working with Senator Gaetz on education—a man with a unique perspective and a unique credibility in being a former superintendent. When he speaks about education and a well-flowing education system, we should listen to him. We should always keep in mind that there are kids in those schools who don't have a mother at home like Desorae to make sure that they get breakfast every morning. They don't have computers at home so that they can keep up with their school work. We have to remember that when we're talking about education, there are kids out there in Florida who are not as lucky as Christopher and Christian—who don't have two parents. When we talk about health care and implementing whatever federal laws that we have to implement, let's think about those people who have health problems; who don't have an Uncle Mickey or an Aunt Rose to chip in when they are stuck in the hospital; who don't have a Mr. Huebner to come by with food for them when they're too physically ill to go out. Remember, there are people who are not as blessed as we are.

When we talk about insurance, I look forward to working with my good friend, Senator Richter, who I served with on the Insurance Committee for many years—a man who thinks about how we can keep a viable insurance market, but also how we can keep it affordable for people. I

brought my family up today because they mean so much to me and they have done so much for me. I brought them up today to remind me and to remind you that's what we're here for. That's who we are here for. We are here for the people who stand in the gap and we're here for people who don't have a strong family like I do, to stand in the gap. Mr. President, you are a person who, through your business and through your personal life, has always had that in mind. When you started your business, it was a business that was built on caring and compassion. You knew that not everyone had a family like mine and that in their time of need, in their final days, they needed someone to stand with them. You have always been that way through business and personal life, and I look forward to working with you as we look at all Floridians who don't have that row of uncles and aunts and who don't have that bus load of family and friends. As we make this day better, fighting hard and working hard for those people in the State of Florida, I look forward to working with you and the entire body. The Democratic Caucus looks forward to working with all of you to make sure that we continue to make this state the best in the nation.

COMMITTEE APPOINTED

On motion by Senator Altman that a committee be appointed to notify the House of Representatives that the Senate was convened for the purpose of organization, the President appointed Senators Soto, Legg, Simpson, Grimsley, and Lee. The committee was excused.

SPECIAL PERFORMANCE

The President introduced Kiara and Symone Thompson, granddaughters of Senator Thompson, who sang "America the Beautiful."

ADDRESS BY PRESIDENT

President Gaetz: Governor Scott, Lt. Governor Carroll, Mr. President, Mr. Chief Justice, fellow Senators, and fellow citizens.

Thank you, Senator Detert and Senator Montford, for your generous remarks and your nomination. Thank you my fellow Senators for your trust, a trust I know must be earned and re-earned in the days and years ahead.

Yesterday, I joined his family and friends and Senate colleagues in celebrating Senator Chris Smith as the new Minority Leader of the Senate. I want Senator Smith to know that I have worked extra hard for two years to ensure that he would be the Minority Leader, so this is a good day for both of us. I ask the Senate to join me in congratulating my friend and our Minority Leader, the Honorable Chris Smith.

If I have had any success in business, politics, or marriage, it's been because I chose partners better than me. The Senate has made sure of that for the next two years. Thank you for approving my selection of Senator Garrett Richter as President Pro Tempore.

Look across this floor today. Family is all important. Family is the heart of my life. A few years ago, I was in the middle of a tough, bitter, nasty campaign, and I knew that the next morning my opponent would hit me hard, really hard, in the newspaper. So I gathered our family around the kitchen table and tried to prepare them, to apologize for dragging them into politics, trying to reassure them. I said, "I promise. I'll carry you through this." My daughter, Erin, hugged me and said, "Daddy, don't you know. We've been carrying you." Erin and Matt, thank you for always carrying me. And Vicky, you're really going to like Vicky. She is the rock of our family and the love of my life—the First Lady of the Senate, Vicky Gaetz.

Today forty of us, chosen by 19 million, begin a rite of passage as old as Florida. Today, we take up the ancient duty of citizen legislators—to be the living tissue that connects the folks back home with a government of their own making and of their own choosing. Lifted up by our communities and surrounded by our families today, we celebrate the peaceful transfer of the people's power. From the prayer by Senator Galvano's father-in-law, to the thrilling performance of our National Anthem by Senator Legg's daughter to the sweet inspiration of Senator Thompson's granddaughters, to the Pledge of Allegiance led by all the Senate children, the stars of the show today are our fifteen new Senators and their families. Nearly 40 percent of the Senate has come fresh from the

grassroots of Florida. They are the grassroots of Florida. Diana and Garrett, Desorae and Chris, and Vicky and I—all of us—welcome you, each of you, to your new extended family—the Senate family.

We came today as forty different people—a nurse, a strawberry grower, a dentist, four educators, a printer, a banker, a dad with a three-month-old daughter, a mom whose daughter was just wounded in combat halfway across the world, a singer-songwriter, an auctioneer with a putt-putt golf course, a guy who spent part of the summer figuring out how to get Turkish olive oil to Miami, and a farmer with a million chickens, and he's named each one of them. There's the usual posse of lawyers and the rest of us. Forty lives fully lived, each distinct, and each different.

By the oaths we swore today, we became Senators. In spite of our differences, in spite of ourselves, starting now we share one identity—the Senate. There is a reason the Senate is collegial. There are only forty of us. Sometimes, on a Senate committee, there are only five of us.

The bill some lobbyist has asked you to kill this morning is sponsored by a Senator chairing the committee hearing your bill this afternoon. We are lashed together like two people in a three-legged race. I cannot pass my priority until I earn your support and you cannot advance your cause unless I help you. I have learned, sometimes the hard way, that, in the Senate, your colleagues can't make you but they can surely break you.

The Senate is about more than mutual need. In these committee rooms and on this floor and during these years, you will come to cherish your friends and admire your opponents. And you may find that those you thought were your opponents become your friends. I know I have. Of course there will be partisanship. In case anyone missed it, we just had an election. Elections can be tough. Primaries can be tougher. They're supposed to be. It's in the hot, fierce clash of campaigns that political results are forged.

The difference between Tallahassee and Washington is that here, unlike there, the campaign is over. Here, unlike there, we will actually produce a budget, we will face uncomfortable facts, and make hard choices instead of borrowing a first class ticket to ride a runaway train toward a fiscal cliff. You want to know who lost the 2012 election? Congress. Congress, both parties, has an approval rating of 11 percent. Moamar Kadafi had an approval rating of 14 percent and his people killed him. The floor in this chamber is not divided by a partisan aisle that freezes us into gridlock on separate sides of every issue. This isn't Washington, and we're not going to operate like Washington.

Today is not the day for detailing every priority or plan. That day will come as our committees sift through and refine the proposals each of us will make in the next two months. But perhaps today is a time to share how we will go about the people's business. I cannot go home to Niceville with the excuse that I did nothing about job growth and blame the Democrats. If my neighbors' children come home from college or university with \$30,000 in debt and a degree that doesn't qualify them for a real job, I won't get by pointing fingers at the Governor.

In my medium-sized north Florida county, a commissioner was just removed for official misconduct, the TDC director committed suicide after he stole bed tax and BP money, the Speaker of the House was forced to resign, the Tax Collector was run out of office, our college president was fired, and our sheriff is in federal prison. That's just my county. The people whose doors I knocked on to get elected won't buy it if I say we couldn't pass ethics reform because of the House of Representatives. They think Senate and House, Governor and Legislature are hyphenated words and they hold us responsible together. The people who sent me here, the people who sent you here, want solutions, not excuses. That's why Speaker Weatherford and I are working together on a joint agenda:

- To make Florida a better place for moms and dads to keep their jobs or get better jobs;
- To lash higher education to the realities and opportunities of the economy so Florida's sons and daughters will be prepared with college and university degrees that lead to high-pay, high-demand jobs;
- To raise the standard of ethical conduct in local and state government.

There is at least one other priority that Speaker Weatherford and I share; Floridians should never again have to stand in lines for six and seven hours to vote. Floridians should never again have to wonder if their ballots were miscoded, misprinted, or miscounted. Floridians shouldn't be embarrassed that while most counties in our state run flawless elections, some counties keep running flawed elections. This isn't a third world country. America shouldn't have to wait for five days after the polls close to find out how Florida voted. We'll probe. We'll listen. If we need to change laws, we'll change them. But I won't be satisfied, and neither should you, unless the 2014 elections in Florida are a model for America.

Our constitutional duty is to fashion a budget. Consider this: If the state budget would have continued to grow in the last six years by the same rate as it grew in the preceding six years, the budget this year would be \$120 billion. Instead, it's \$70 billion—\$50 billion less. We're not spending less because the critical needs of our state are less. Our needs have actually increased as hundreds of thousands of our neighbors have lost their jobs, lost their health care, and lost their homes. We're spending less because we have less. I look around this chamber and see women and men who have struggled hard with the tough choices required to balance resources and needs. We have learned lessons in the hard times we cannot forget as times get better—lessons about how to be better stewards of the people's money.

In the book of Joel, the Lord said, "I will restore unto you the years the locusts have eaten." But we're still far from the days of milk and honey.

It's true. Florida has achieved 27 months of positive job growth, Florida has the largest drop in unemployment of any state in the nation, unemployment among veterans has been cut by more than half, and consumer confidence is at a five-year high. But it's also true that either the retirement litigation currently before the state Supreme Court or the "fiscal cliff" that Congress and the President have brought on themselves could force Florida down into billions of dollars of red ink. Consequently, I will ask our appropriations committees to undertake a much more intensive budget review than ever before.

And, different from past Senate practice, I will be asking every Senator to serve on two appropriations committees to take advantage of everyone's insights and everyone's skills to make sure the maximum value is squeezed from every dollar extracted from the pockets of our taxpayers and the cash registers of our businesses. You and I will be judged by whether we have helped or hurt or been irrelevant to the slow, steady, and permanent recovery of Florida's economy. You and I will be judged by whether it is more or less likely that a high school, college, or university graduate can count on his education as the passport to a job. You and I will be judged, in spite of ourselves, not by what we say, but by what we do to reform the way we run elections and raise the standards of ethical conduct from the courthouse to the state house.

Let us go forward, together, to lead the land we love, and so bear ourselves that we can look our communities, our constituents, and our children straight in the eye and say, "When I was there, when I was a Senator, we built a better Florida."

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Fasano, Hooper, Gibbons, Nelson, Schwartz, Beshears, Young, Peters, Raulerson, Spano, and Zimmerman was received and informed the Senate that the House of Representatives was convened for the purpose of organization. The committee then withdrew from the chamber.

COMMITTEE DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

ADOPTION OF RULES

On motion by Senator Thrasher, the Rules were adopted to govern the Senate for the ensuing two years.

On motion by Senator Thrasher, the Secretary was authorized to make any technical and conforming changes to the 2012-2014 Senate Rules.

SENATE RULES

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—SENATE OFFICERS

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

(1) A President and a President Pro Tempore shall be elected for a term of two (2) years at the organization session ~~preceding the regular session of each odd-numbered year.~~ They shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

See Rule 5.6—Election by ballot.

See FLA. CONST. art. II, s. 5 Public officers.

See FLA. CONST. art. III, s. 2 Members; officers.

See FLA. CONST. art. III, s. 3(a) Sessions of the legislature.

(2) The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate ~~whose, and their~~ names shall be certified to the Secretary. The President may designate a Majority Leader whose name shall be certified to the Secretary.

(3) The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore ~~whose, and their~~ names shall be certified to the Secretary at the organization session.

(4) All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall occur first.

1.2—The President calls the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at ~~its~~ the last sitting session. A quorum being present, the President shall direct the Senate to proceed with the Daily Order of Business. The President may informally recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President's authority and signature; questions of order; travel

(1) The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers.

See FLA. CONST. art. III, s. 7 Passage of bills.

(2) The President shall decide all questions of order, subject to an appeal by any Senator.

See Rule 8.9—Appeals.

See Rule 8.10—Appeals debatable.

(3) As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting Senate business as author-

ized. The President shall have responsibility for Senate property and may delegate specific duties or authority pertaining thereto.

(4) The President may authorize or retain counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate committee, a Senator (whether in the legal capacity of Senator or taxpayer), a former Senator, or a Senate officer or employee when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—The President's appointment of ~~to~~ committees

(1) The President appoints ~~shall appoint~~ members to all standing committees, standing subcommittees, and select committees. The President ~~shall~~ also appoints ~~appoint~~ the Senate members of conference committees, joint committees, and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Rules Committee.

1.6—The President's vote

The President or temporary presiding Senator shall not be required to vote in legislative proceedings, except on final passage of a measure. In all yea and nay votes, the President's name shall be called last.

See Rule 1.39—Disclosure of conflict of interest and prohibition of voting thereon.

1.7—The President's absence from the chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair during a sitting.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

(4) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

1.8—Election of the Senate Secretary

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, as required by Senate Rules, or as assigned by the President. The Secretary shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

See FLA. CONST. art. II, s. 5(b) Public officers.

See FLA. CONST. art. III, s. 2 Members; officers.

(2) The Secretary shall be under the supervision of the President, who may assign additional duties to the Secretary. In the event of a vacancy in the position of Secretary, the President may appoint someone to perform the duties of the office until the Senate, by its vote, fills the vacancy.

(3) The Secretary shall be the Senate enrolling and engrossing clerk and may designate staff to assist with the duties of the office ~~an assistant enrolling and engrossing clerk~~.

1.9—Duties of the Secretary at organization session

If ~~in the absence of~~ the President and the President Pro Tempore of the preceding session are absent or are no longer members, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties of the Secretary generally; keeps Journal

(1) The Secretary shall keep a correct daily Journal of Senate proceedings. The Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be made available by the Secretary for the information of the Legislature and the public.

(2) The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials.

(3) The Secretary shall keep under seal a separate Journal of the proceedings of the executive sessions of the Senate.

(4) The Secretary shall not permit any official records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt. ~~The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.~~

1.11—The Secretary prepares daily calendar

- (1) The Secretary shall prepare a daily calendar that shall set forth:
- The order of business;
 - The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
 - The status of each bill, i.e., whether on second (2nd) reading, ~~or third (3rd) reading, or unfinished business~~;
 - Notices of committee meetings; and
 - Notices of meetings required pursuant to Rule ~~1.45~~ 1.44.
- (2) The Secretary shall publish ~~make available~~ the daily calendar for the information of the Legislature and the public.

1.12—The Secretary reads papers; calls roll; records votes

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll verbally or by electronic roll call and record the votes when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any Senate vote is taken by a show of hands or otherwise.

See Rule 5.1—Taking the yeas and nays.

1.13—The Secretary attests to warrants, subpoenas, and the passage of all measures

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

See FLA. CONST. art. III, s. 7 Passage of bills.

1.14—The Secretary prepares forms

The Secretary shall prepare all forms used by the Senate.

1.15—The Secretary examines legal form of bills for introduction

The Secretary shall examine all bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

See Rule 3.1—Form of bills.

1.16—The Secretary supervises information technology operations; indexes bills

The Secretary shall supervise Senate information technology operations and maintain a numerical index of bills and a cumulative index by introducers.

1.17—The Secretary transmits bills to the House of Representatives

Unless otherwise directed by the President, the Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay. Each measure shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

See Rule 6.8—Reconsideration; Secretary to hold for period.

1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business.

(2) All messages reflecting House amendments to Senate bills shall be promptly reviewed by ~~delivered to~~ the appropriate committees for research and summary. Special notice of the summaries shall be made available to each Senator.

(3) ~~(2)~~ The Secretary shall advise the President shall be informed by the Chair of the Rules Committee when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report to the Senate recommending action on the relevant House amendments as defined in Rule 2.15. The report may be received when the message is reached under Messages from the House of Representatives Committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS**1.20—Attendance, and voting, and disclosure of conflicts**

(1) Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sittings sessions and in attendance at all assigned committee meetings.

(2) A Senator who is in the Chamber or in a committee meeting shall vote on each question, except as provided in Rule 1.6.

(3) However, a Senator shall ~~may~~ abstain from voting if, in the Senator's judgment, a vote on a question would constitute a conflict of interest as defined in Rule 1.39 ~~section 112.312(8), Florida Statutes~~. A Senator who abstains from voting shall file the disclosure required by Rule 1.39.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

~~(3) All Senators shall arrive for each daily session prepared to discuss that day's scheduled Senate business.~~

1.21—Excused absence

The President may excuse a Senator from attending a sitting session of the Senate or any meetings of Senate committees for any stated period. An excused absence from a sitting session of the Senate shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a sitting session of the Senate or meeting of its committees and having in his or her possession official

papers relating to Senate business shall leave such papers with the Secretary before leaving the Capitol.

1.23—Senators deemed present unless excused

A Senator who answers the quorum roll call at the opening of a sitting session or who enters after such roll call and announces his or her presence to the Senate shall thereafter be considered present unless excused by the President.

See Rule 4.2—Quorum.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for Senators

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities; approval of the President

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Repealed

PART THREE—SENATE EMPLOYEES

1.28—Dismissal of employees; employment services of a spouse

(1) The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion, the issue may be referred to the Rules Committee for its recommendation. The pay of an employee so terminated shall stop on the termination date.

(2) A Senator's spouse or immediate relatives may serve in any authorized position. However, they shall not receive compensation for services performed, except as a participant in the page program.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any matter whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and policy of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their respective department head or Senator heads.

1.31—Absence without permission

If employees are absent without prior permission, except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Employee political activity

Senate employees shall be regulated concerning their political activity pursuant to Senate Administrative Policies and Procedures section 110.233, Florida Statutes.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.35—Legislative conduct

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to his or her own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by subsection (1) shall not be considered a violation of this Rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Rules Committee. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any other office, or a political party. When required by law, the Senator shall promptly create a public website that contains a mission statement for such organization, the names of the Senators associated with that organization, and disclosure of contributions received by and expenditures made by the organization.

(4) Upon a determination that a Senator has violated this Rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

1.37—Conflicting employment

A Senator shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A Senator shall not use his or her influence as a Senator in any issue that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure of conflict of interest and prohibition on voting thereon and disqualification

(1) Abstention on matters of special private gain or loss.—A Senator may not vote on any matter that the Senator knows would inure to the special private gain or loss of the Senator. The Senator must disclose the nature of the interest in the matter from which the Senator is required to abstain.

(2) Disclosure on matters of special private gain or loss to family or principals.—When voting on any matter that the Senator knows would inure to the special private gain or loss of:

- (a) 1. Any principal by whom the Senator or the Senator's spouse, parent, or child is retained or employed;
2. Any parent organization or subsidiary of a corporate principal by which the Senator is retained or employed;
- or
3. An immediate family member or business associate of the Senator.

the Senator must disclose the nature of the interest of such person in the outcome of the vote.

- (b) For the purpose of this Rule, the term:
 1. "Immediate family member" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.
 2. "Business associate" means any person or entity engaged in or carrying on a business enterprise with the Senator as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.

(3) Methods of disclosure.—If the vote is taken on the floor, disclosure under this Rule or under any related law shall be accomplished by filing with the Secretary a memorandum the substance of which shall be printed in the Journal. If the vote is taken in a committee or subcommittee, the memorandum shall be filed with the committee or subcommittee administrative assistant, who shall file such memorandum in the committee or subcommittee files and with the Secretary. A Senator shall make every reasonable effort to file a memorandum pursuant to this Rule prior to the vote. If it is not possible to file the memorandum prior to the vote, then the memorandum must be filed immediately but not more than fifteen (15) days after the vote. The Secretary shall also make all memoranda filed pursuant to this Rule available online.

(4) Exception.—Notwithstanding this Rule, a Senator may vote on the General Appropriations Act or related implementing legislation without providing any disclosure. However, a Senator must follow the provisions of this Rule when specific appropriations or amendments are considered for inclusion in the General Appropriations Act or related implementing legislation.

A Senator is not disqualified from voting when, in the Senator's judgment, a conflict of interest is present. However, a Senator shall disclose any personal, private, or professional interest in a matter that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure concerning a vote during a session shall be filed with the Secretary for reporting in the Journal immediately following the record of the vote. Such disclosure may explain the logic of voting or of his or her disqualification. Disclosure concerning a vote that was not cast during a session should be filed pursuant to section 112.3143(2), Florida Statutes.

See Rule 1.20—Attendance, voting, and disclosure of conflicts.

1.40—Ethics training

Prior to the opening day of a regular session in odd-numbered years, all Senators shall complete a course of at least one (1) hour in length which addresses the requirements of law under the Code of Ethics for Public Officers and Employees, open meetings, public records, and any other subject approved by the President.

1.41 1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of these Rules regulating legislative conduct and ethics.

1.42 1.41—Advisory opinions

All Questions from Senators relating to the interpretation and enforcement of these Rules regulating legislative conduct and ethics shall be referred to the Senate General Counsel and Rules Committee or shall emanate therefrom. A Senator may submit a factual situation to the Senate General Counsel Rules Committee with a request for an advisory

opinion establishing the standard of public duty. The Senate General Counsel committee shall enter an its opinion responding to each inquiry on which a Senator may reasonably rely. All opinions shall, after hearing, be numbered, dated, and published in the Journal. No opinion shall identify the requesting Senator without the Senator's consent.

1.43 1.42—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair, or the President when the complaint is against the Rules Chair, alleging a violation by a Senator of the Rules regulating legislative conduct and ethics. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, shall attach all documentation on which the complaint is based, and shall identify the specific Rule alleged by the complainant to have been violated by the Senator.

- (a) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.
- (b) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. The special master shall conduct an investigation, shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the Rules Chair, or the President when the complaint is against the Rules Chair, as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair, or the President when the complaint is against the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the Senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Rules Chair, the chair is excused and the vice chair shall conduct the deliberation. If the Rules Committee votes to dismiss the complaint, the Rules Chair or vice chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rules regulating legislative conduct and ethics may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Rules Committee.

See FLA. CONST. art. III, s. 4(d) Quorum and procedure.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.44 1.43—Open meetings

(1) All meetings at which legislative business is discussed between more than two (2) members of the Legislature shall be open to the public except:

- (a) At the sole discretion of the President, after consultation with appropriate law enforcement, public health, emergency management, or security authorities, those portions of meetings of a select committee, committee, or subcommittee concerning measures to address security, espionage, sabotage, attack, and other acts of terrorism.
- (b) Discussions on the floor while the Senate is sitting in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule, "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

1.45 1.44—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed ~~at least not later than~~ four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed ~~at least not later than~~ two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President (or a Senator designated to represent the President) with the Governor or with the Speaker (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee of a majority of the chairs of the Senate's standing committees.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) Notices of meetings required by Rule ~~1.45(1) 1.44(1)~~ shall be filed by or at the direction of the person at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m., then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule ~~1.45(1) 1.44(1)~~ are not sufficient to permit publication in a daily or interim calendar, the Secretary shall publish on the Senate website and post on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol make available such notice in the public corridor leading to the Senate Chamber. The Secretary shall make a diligent effort to give actual notice to members of the media press of all noncalendared meeting notices.

(4) Political caucuses shall be open to the public in accordance with Rule ~~1.44 1.43~~ and noticed in accordance with this Rule when legislative business issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.46 1.44—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) All prearranged gatherings between more than two (2) members of the Legislature, or between the Governor, the President, or the Speaker, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(3) In cases of conflict between this Rule and any other Senate Rule, the Rule providing greater notice or public access shall prevail.

1.47 1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

1.48 1.444—Legislative records; maintenance, control, destruction, disposal, fee for copies, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

See FLA. CONST. art. I, s. 24(a) Access to public records and meetings.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from public disclosure, shall be retained electronically by each staff director until ~~biennially~~ transferred by the Secretary to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, bill analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. ~~However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.~~

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained; additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) sample copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a Senator's district office shall include the offices each Senator retains for the transaction of official legislative business in his or her respective district and the assigned offices located in the Senate Office Building or the Capitol in Tallahassee.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a report, bill analysis, ~~or~~ fiscal note, report prepared by a contract employee or consultant retained by the Legislature or the Senate and materials in support thereof until the draft bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics,

made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five (5) years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President for subsequent five-year (5) periods.

1.49 1.45—Violations of Rules on open meetings and notice

Violations of Rules ~~1.44 1.43~~ and ~~1.45 1.44~~ constitute violations of the Rules regulating legislative conduct and ethics and shall be subject to the procedures and penalties prescribed in Rule ~~1.43 1.42~~.

See Rule 1.43—Violations; investigations, penalties.

RULE TWO

COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM, AND DEBATE

PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1—Standing committees; standing subcommittees; select subcommittees

(1) The following standing committees with standing subcommittees are created:

- (a) Agriculture
- (b) Appropriations
 1. Subcommittee on Criminal and Civil Justice
 2. Subcommittee on Education
 3. Subcommittee on Finance and Tax
 4. Subcommittee on General Government
 5. Subcommittee on Health and Human Services
 6. Subcommittee on Transportation, Tourism, and Economic Development
- (c) ~~(b)~~ Banking and Insurance
- (e) ~~(b)~~ Budget
 1. ~~Subcommittee on Criminal and Civil Justice Appropriations~~
 2. ~~Subcommittee on Education Pre K—12 Appropriations~~
 3. ~~Subcommittee on Finance and Tax~~
 4. ~~Subcommittee on General Government Appropriations~~
 5. ~~Subcommittee on Health and Human Services Appropriations~~
 6. ~~Subcommittee on Higher Education Appropriations~~
 7. ~~Subcommittee on Transportation, Tourism, and Economic Development Appropriations~~
- (d) Children, Families, and Elder Affairs
- (e) Commerce and Tourism
- (f) Communications, Energy, and Public Utilities
- (g) Community Affairs
- (h) Criminal Justice
- (i) Education ~~Pre K—12~~
- (j) Environmental Preservation and Conservation
- (k) Ethics and Elections
- (l) Gaming
- (m) ~~(k)~~ Governmental Oversight and Accountability
- (n) ~~(l)~~ Health Policy Regulation
- (m) ~~(l)~~ Higher Education
- (o) ~~(m)~~ Judiciary
- (p) ~~(n)~~ Military Affairs, Space, and Domestic Security
- (q) ~~(p)~~ Reapportionment
- (r) ~~(q)~~ Regulated Industries

- (s) ~~(r)~~ Rules
 - 1. ~~Subcommittee on Ethics and Elections~~
- (t) ~~(s)~~ Transportation

(2) Permanent standing committees and standing subcommittees, when created and designated by Senate Rule, shall exist and operate function both during and between sessions.

See Rule 1.5—The President's appointment of committees.

(3) No standing committee shall consist of fewer than five (5) members The President shall appoint the membership of the standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members.

(4) ~~(3)~~ A select subcommittee may be appointed by a ~~Each~~ standing committee or the chair thereof, with prior approval of the President, ~~may~~ appoint a select subcommittee to study or investigate a specific issue falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President and the Secretary shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment. ~~Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment and report to its standing committee, and not to exceed thirty (30) days unless extended by the President. The advisory report by a select subcommittee, whether favorable or unfavorable, shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.~~

- (a) A select subcommittee may study or investigate a specific issue falling within the jurisdiction of the standing committee or hear a bill referred to it.
- (b) The President and the Secretary shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment.
- (c) Select subcommittees shall be governed by the Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment or thirty (30) days, whichever is less, unless extended by the President.
- (d) The advisory report by a select subcommittee whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim work assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—~~Repealed~~ Committee reports

~~(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President and the Secretary.~~

~~(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chair of the standing committee for consideration by such committee.~~

~~(3) Within thirty (30) days following sine die adjournment of a session, committees shall provide information on bills passed by both houses during that session.~~

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall also be subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—~~Repealed~~ Committee utilization of federal funds

~~No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Rules Committee.~~

2.6—Committee meeting notices; regular session and interim; day fifty (50) rule Notice of committee meetings

(1) Senate committees shall submit a notice of meeting as provided herein. Reference to committee meeting notices in these Rules shall include all standing committees, standing subcommittees, select committees, select subcommittees, and such other committees or subcommittees as may be created by the Senate.

(2) Committee meeting notices shall include the date, time, amendment deadline, and place of the meeting together with the name of the introducer, subject, and number of each bill to be taken up and other subjects to be considered.

(3) ~~(4)~~ Notice of committee meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of a ~~any~~ regular session until proper notice ~~has been~~ is published in three (3) weekday calendars, including the calendar for the two (2) legislative days preceding and the calendar published on the day of such committee meeting, ~~except committees may meet on the first and second days of a regular session provided a meeting notice was published in a Senate calendar and made available in the public corridor leading to the Senate Chamber for at least two (2) days preceding and the day of such meeting.~~

(4) If a weekend meeting is scheduled, notice of such meeting shall appear in three (3) daily calendars, including those published on the weekend days on which the meeting is held. However, a calendar published on a weekend shall not be included in the calculation of publication days for meetings taking place on Monday through Friday.

(5) Calendars published on the Friday and Monday immediately preceding the opening day of a regular session may be included in the calculation of the three-day (3) notice requirement for meetings held on the first (1st) and second (2nd) days of a regular session.

(6) ~~(2)~~ After ~~day the first~~ fifty (50) days of a ~~any~~ regular session, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.10 ~~2-9~~ may be held following an announcement by the chair of the committee or subcommittee or, in the chair's absence, the vice chair while the Senate is sitting in session. Notice shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol made available in the public corridor leading to the Senate Chamber at least four (4) hours in advance of the meeting. A committee meeting announced during a sitting may occur four (4) hours

after notice of the meeting has been published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol. Such notices may be posted in advance of the oral announcement during the sitting.

~~(3) The chair of a standing committee, standing subcommittee, or select committee or, in the chair's absence, the vice chair shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered.~~

~~(7) (4) When While the Legislature is not in session, committee a standing committee, standing subcommittee, or select committee shall file a meeting notices shall be filed notice with the Secretary at least seven (7) days prior to the meeting. The notice shall state the date, time, amendment deadline, and place of the meeting together with the name of the introducer, subject, and number of each bill to be considered. The Secretary shall make the notice available to the membership and the public.~~

2.7—Bills recommitted for failure to provide proper notice

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) ~~sittings~~ days after such report is printed in the Journal, or the President may recommit such bill at any time. Once recommitted, the bill is available for consideration by the committee as if it had never been reported.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. Once recommitted, the bill is available for consideration by the subcommittee as if it had never been reported.

2.8—Filing and publication of meeting notices ~~Notice of meeting; publication~~

For publication in the daily calendar, notice of ~~standing committee, standing subcommittee, or select committee~~ meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. ~~Meeting notices shall appear in the daily calendar.~~

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee, standing subcommittee, and select committee shall consider the public business assigned to it as expeditiously as possible and proper.

~~(2) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 6:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.~~

~~(2) (3) Unless approved by the President, no committee shall meet after the fiftieth (50th) day of a any regular session except the Rules Committee.~~

2.10—Committee meeting schedules; time limits on meetings ~~When, where committees meet~~

~~(1) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. or meet or continue to meet after 6:00 p.m.~~

(2) Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the President and notice of such assignment shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth

~~(4th) floor of the Capitol made available by the Secretary in the public corridor leading into the Senate Chamber. No committee except the Rules Committee shall meet while the Senate is sitting in session without the consent of the majority of the Senate present.~~

2.11—Presentation of bills before committees ~~Attendance by introducer of bill~~

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator or ; his or her legislative assistant, ~~or any other designee having written permission to speak for the bill.~~ Senate committee professional staff shall be limited to presenting committee bills at meetings of their assigned committees ~~of reference and to presenting before other committees those committee bills that are the subject of approved Senate interim projects.~~

2.12—Order of consideration of bills; exception business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in the chair's sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the introducer thereof.

(2) A bill ~~may shall~~ be considered out of its order on the committee agenda ~~if agreed to by~~ ~~on~~ unanimous consent of those committee members present obtained in the following manner: prior to consideration of the motion, the member moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the member's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving member shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

Except as otherwise provided in ~~these the Senate~~ Rules, all committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum. ~~If any matter is reported on the basis of a poll of the committee, such matter shall be referred to such committee on a point of order made prior to final passage thereof.~~

See Rule 1.44—Opening meetings.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

2.15—Standing committee ~~in deliberation; reports; committee substitutes~~

~~(1) If reporting a matter referred to it, a It shall be the duty of standing committee shall committees to report the matter all matters referred to them either:~~

- (a) Favorably,
- (b) Favorably with committee amendment ~~amendment(s)~~,
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members present of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee, the vote on any other matter or motion properly before the committee shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present at a sitting in session or except as provided in Rule 2.7 or Rule 4.7(2).

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member present of the committee on final passage of the motion to report each bill.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

The Secretary shall enter in the Journal the recommended action of the committee on each bill reported, but shall not include that portion of the report relating to the date, time, and place of the meeting or the vote of each member on final passage of the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same or related general subject matter to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure.

- (a) The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as a favorable report.
- (b) No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure.
- (c) A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced.
- (d) When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu thereof ~~of~~ without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure.
- (e) The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted.
- (f) A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be ~~approved by the chair or, in the chair's absence, the vice chair~~. Such reports shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day that is not a weekend or state holiday, except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. on the second (2nd) such weekday legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the bill. If amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be identified by barcode in printed in full on forms prescribed by the Secretary and shall accompany the report. All bills reported unfavorably shall be laid on the table.

2.16—~~Standing subcommittee in deliberation; reports~~

(1) ~~If reporting a matter referred to it, a It shall be the duty of standing subcommittee must report the matter subcommittees to report all measures referred to them~~ directly to the standing committee, which shall promptly certify a copy to the Secretary. The standing subcommittee shall report a matter all matters either:

- (a) Favorably,
- (b) Favorably with committee amendment amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on final passage of the motion to report each bill.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(3) In reporting a bill to the standing committee, a standing subcommittee may draft a new measure, embracing the same or related general subject matter, to be returned to the standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the standing committee in the same manner as a favorable report. ~~The standing committee of reference shall not consider the original measure~~

~~but shall direct its attention to the substitute measure. The standing committee receiving a committee substitute from a subcommittee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number of the original and shall be returned to the standing committee in the same number of copies required for first (1st) introduction of a similar measure. The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted. A Senate subcommittee may not recommend a Senate committee substitute for a House bill.~~

(4) All standing subcommittee reports shall be promptly transmitted to the full committee ~~approved by the chair or, in the chair's absence, the vice chair~~. Each report by a standing subcommittee must set forth the identifying number of the measure. If amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be ~~printed in full on forms prescribed by the Secretary and shall accompany~~ the report.

(5) All bills reported unfavorably shall be laid on the table by roll call vote when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a majority vote of those standing committee members present before a vote on final passage final action is taken; however, debate by members of the standing committee shall be allowed prior to such vote.

~~(7) A bill with a favorable subcommittee report may be withdrawn, in accordance with Rule 4.10, from the standing committee without any further action on the bill by the standing committee.~~

2.17—Quorum requirement of committee

(1) A standing committee, standing subcommittee, or select committee is assembled only when a quorum constituting a majority of the members of that committee is present in person.

(2) A committee member may question the presence of a quorum at any time.

(3) No committee business of any type shall be conducted in the absence of a quorum. Any matter reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.19—Conference committee in deliberation; reports

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two (2) groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary by or at the direction of the person calling the meeting, at least one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the place of the meeting. Conference committees may meet at any time with proper notice.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) A conference committee, other than a conference committee on a general or special appropriations bill and its related legislation, shall

consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house. Conference committee reports must be approved and signed by a majority of the managers on the part of each house. All final actions taken in a conference committee shall be by motion.

(4) Each conference committee report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When the President appoints a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary by or at the direction of the person at whose call the meeting is convened, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker (or a Representative designated to represent the Speaker);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator ~~Senator(s)~~ designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker or any Representative ~~Representative(s)~~ designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol ~~posted in the public corridor leading to the Senate Chamber~~. In the case of the appropriations conference, said notice shall also be posted outside the door of the offices of the appropriations committees.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol Complex, but shall not be held in the Chamber of either house while it is sitting in session.

(8) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees. This motion shall have precedence over all other questions except motions to adjourn or recess ~~to a later day~~, and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of chair and vice chair

A chair and a vice chair of each standing committee shall be appointed by the President and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice chair, both of whom shall continue in office at the pleasure of the President.

2.21—~~Call Chair's calling of committee to order~~

The chair or, in the chair's absence, the vice chair, shall call the committee to order at the hour provided by these Rules. A quorum being present, the committee shall proceed with consideration of its agenda ~~the order of business. Any member of the committee may question the existence of a quorum. No committee business of any type shall be conducted in the absence of a quorum.~~

2.22—Chair's control

The chair shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair may require participants in the disturbance to clear the room.

2.23—Chair's authority; appeals

(1) The chair shall approve all notices, ~~vouchers~~, subpoenas, or reports required or permitted by these Rules.

(2) The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during its ~~the daily session of the Senate~~ next sitting following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. ~~The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.~~

(3) The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

(4) An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

(5) The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal.

(6) Final action on an appeal or the certification of a procedural question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chair, vice chair; vote

The chair and vice chair shall vote on all matters before such committee. The name of the chair shall be called last.

2.25—Temporary alternate to chair

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. If for any reason the chair is absent and fails to name a

member, the vice chair shall assume the duties of the chair during the chair's absence.

2.26—Vice chair's duties

On the death, incapacitation, or resignation of the chair, the vice chair shall perform the duties of the office until the President ~~appoints~~ appoints shall appoint a successor. In the absence of the chair, the vice chair shall act as chair.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting; proxy and poll votes prohibited

(1) Unless excused or necessarily prevented, every member of a committee shall be in attendance during each of its meetings.

(2) The chair may excuse any member for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy nor shall a vote be conducted by poll.

(5) A majority of all the committee members present shall agree by their votes on the disposition of any matter considered by the committee.

See Rule 11.4—Majority action.

~~(5) The President may designate either the President Pro Tempore or the Majority Leader to vote in any committee. The President shall notify the Secretary and the chair of the affected committee of the designation. The designee may not count for the purpose of a quorum unless specifically stated in the notification.~~

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a voice vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee is equally divided, the question shall be lost.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(2) A member may request to:

- (a) Vote, or
- (b) Change his or her vote

before the results of a roll call are announced.

(3) After the results have been announced, a member with unanimous consent of those committee members present may vote or change his or her vote. If the vote alters the final action of the committee, no vote or change of vote shall be valid unless the matter has been reconsidered by the committee. On request of a member prior to consideration of other business, the chair shall order a verification of a vote.

2.29—Pair voting prohibited

No pair voting shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No member shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

(1) Every procedural motion may be made orally. On request of the chair, a member shall submit his or her motion in writing.

(2) After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present.

(3) The mover may withdraw a motion at any time before the same has been amended, or before a vote shall have commenced. The mover of a motion to reconsider may withdraw that motion only with the unanimous consent of those committee members present.

2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider instanter passage of a main question
- (d) ~~(e)~~ To reconsider
- (e) ~~(d)~~ To limit debate
- (f) ~~(e)~~ To temporarily postpone
- (g) ~~(f)~~ To commit to a select subcommittee
- (h) ~~(g)~~ To amend

which shall have precedence in the descending order given.

(2) The chair shall present all questions in the order in which they are moved unless the subsequent motion is of a higher precedence or a substitute of equal precedence previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute may be pending shall be considered and the substitute shall be in the same order of precedence. If a substitute fails, another substitute of equal degree may be offered.

2.34—Division of question

A member may move for a division of a question when the sense will admit of it, which shall be decided by a majority vote. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

See Rule 6.3—Division of question.

2.35—Reconsideration generally

(1) When a question has been decided by a committee, any member voting with the prevailing side may move for reconsideration of the question.

(2) ~~If Also when~~ a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move.

(3) If the committee shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present.

(4) ~~(2) Consideration of~~ A motion to reconsider final passage of a measure or the confirmation of an executive appointment may be made prior to or pending a motion to rise. It shall not be taken up or voted on when made but shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(5) At the next succeeding meeting, the reconsideration of such motion may be made by any member prior to or pending a motion to rise.

(6) During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

(7) A motion to reconsider instanter may be offered by a member voting on the prevailing side at the original meeting and shall be of a higher precedence than a motion to reconsider.

(a) If the motion to reconsider instanter is agreed to by a two-thirds (2/3) vote of the members present, it shall supersede a motion to reconsider and place the main question again before the committee for further consideration, amendment, and debate.

(b) If a motion to reconsider instanter is not agreed to, a motion to reconsider, if offered or pending as provided in subsection four (4) of this Rule, will be a special and continuing item on the committee agenda for the next meeting.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question proposed for reconsideration is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS

2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration; germanity

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was prepared in proper form and filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are the weekdays of Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment, proposed committee substitute, or proposed committee bill shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

(a) ~~After~~ Subsequent to distribution of all timely filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.

(b) ~~After~~ Subsequent to distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.

(c) Amendments to late-filed amendments, proposed committee substitutes, or proposed committee bills shall be considered timely filed if filed at least two (2) hours prior to the noticed meeting time.

(d) After the first fifty (50) days of a ~~any~~ regular session, an amendment, proposed committee bill, or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the com-

mittee administrative assistant at least two (2) hours prior to the noticed meeting time.

(e) The consideration of any amendment, proposed committee bill, or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present, if any member requests that such a vote be taken. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill and amendment.

(2) Amendments shall be filed on forms prescribed by the Secretary.

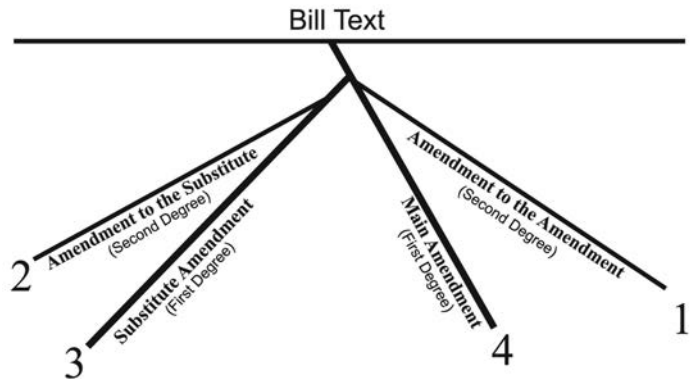
(a) An amendment shall be considered only after its sponsor, who is a member of the committee, gains recognition from the chair to move its adoption.

(b) An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending.

(c) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:



(a) Amendments to the amendment are acted on before the substitute is taken up.
 (b) Amendments to the substitute are next voted on.
 (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) ~~An amendment of the third (3rd) degree is out of order. The following amendments are out of order:~~

- (a) ~~A substitute amendment for an amendment to an amendment.~~
- (b) ~~A substitute amendment for an amendment to a substitute.~~

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same ~~or related general~~ subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing members for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in

section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by previous committees ~~another committee~~

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall ~~physically~~ remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Any accompanying amendment shall be included in a subsequent committee substitute unless altered or negated by committee action. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed with the Secretary as part of the reports required in Rules 2.15 and 2.16.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.45—Decorum and debate

When a member desires to speak or present a matter to the committee, the member shall address himself or herself to “Mr. or Madam Chair” and, on being recognized, may address the committee and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of “Senator” or such appellation and the surname of the member referred to or addressed.

2.46—Chair’s power to recognize

When two (2) or more members request to speak at once, the chair shall recognize the member who is to speak first.

2.47—Interruptions; when allowed

(1) No member shall be interrupted by another without the consent of the member who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (provided ~~if~~ the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a matter is under debate by the committee, a member may move to limit debate, and the motion shall be decided without debate. The introducer of the pending matter on which debate would be limited shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, ~~another~~ ~~some other~~ member. If the question is decided in the affirmative by a two-thirds (2/3)

vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair. Once limited, debate may be extended beyond the original debate time limit by a majority vote of the committee members present.

2.51—Priority of business; debate thereon

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—~~Repealed~~

2.53—~~Repealed Appeals~~

~~The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.~~

~~See Rule 2.23—Chair’s authority; appeals.~~

2.54—~~Repealed Appeals debatable~~

~~An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.~~

~~See Rule 2.23—Chair’s authority; appeals.~~

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of bills

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, “Be It Enacted by the Legislature of the State of Florida:” The title of each bill shall be prefaced by the words, “A bill to be entitled An act.” Standard rules of capitalization shall apply.

See FLA. CONST. art. III, s. 6 Laws.

(2) The original must be approved by the introducer and backed in a folder-jacket. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, and enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in Article III, Section 6 of the *State Constitution*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

See FLA. CONST. art. III, s. 6 Laws.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: “Substantial rewording of section. See s. [number], F.S., for present text.” When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary.

See Rule 1.15—The Secretary examines legal form of bills for introduction.

See Rule 3.7—Bill filing deadline during regular session; bill filing between regular sessions.

See Rule 13.4—Delivery for introduction.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. ~~A form~~ ~~Forms~~ of affidavit may be found in section 11.03, Florida Statutes obtained from the Secretary. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words “Proof of Publication Attached” clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

See FLA. CONST. art. III, s. 10 Special laws.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, “Be It Resolved by the Legislature of the State of Florida:.” Each joint resolution shall be prefaced by the words: “A joint resolution.”

See FLA. CONST. art. III, s. 6 Laws.

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, “Be It Resolved by the Legislature of the State of Florida:.”

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall contain the resolving clause: “Be It Resolved by the Senate of the State of Florida:.” Concurrent resolutions shall contain the resolving clause: “Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:.”

(2) Only the Secretary shall prepare copies of Senate resolutions that are to be furnished to any person after the resolution’s adoption.

3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) ~~To facilitate processing and committee referencing, All bills (except for the general appropriations bill, implementing bills, appropriations conforming bills, local bills, Senate resolutions, concurrent resolutions, committee bills, and trust fund bills or public record exemptions that are linked to timely filed general bills) shall be filed for introduction with the Secretary no later than 12:00 noon of the first (1st) day of the regular session except:~~

- (a) general appropriations bills,
- (b) appropriations implementing bills,
- (c) appropriations conforming bills,
- (d) local bills,
- (e) Senate resolutions,
- (f) concurrent resolutions,
- (g) committee bills,
- (h) trust fund bills, and
- (i) public-record exemptions that are linked to timely filed general bills.

(2) A motion to waive this Rule shall be referred to the Rules Committee for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary.

3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall provide each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. The Secretary shall make all filed bills available to each Senator ~~all filed bills~~, including the referencing data for each bill, and a calendar of all committee hearings, including the bills noticed for hearing by each.

(3) Each bill considered by a committee and reported to the Secretary during the interim shall be introduced and read on the first (1st) day of the regular session, pursuant to the *State Constitution, Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

~~(4) If a committee fails to consider and report a filed bill prior to the convening of a regular session, the committee or committees failing to so report shall conduct hearings and file reports during the regular session.~~

~~(4) (5)~~ Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of “Motions Relating to Committee Reference” on the second (2nd) legislative day on which the Senate ~~sits meets~~, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

~~(5) (6)~~ Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary to withdraw his or her bill from further consideration of the Senate.

3.9—Copies of bills

When filed, bills (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the ~~Appropriations Budget~~ Committee shall be made available to the members and, upon request, to the public, at the Office of the Secretary and at the committee’s office, no less than two (2) hours prior to the time the ~~Appropriations Budget~~ Committee meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received ~~by at the desk~~ of the Secretary. They shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

(1) When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is

also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure.

(2) A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. Differences between the Senate bill and the House bill shall be explained by the mover prior to a vote on a substitution motion.

(3) At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills; co-introducers; introducers no longer Senators

(1) Bills shall be approved for introduction by a Senator whose name is affixed to the original, or by any committee with the name of the committee and the name of the chair of the committee affixed to the original. A bill may be co-introduced by any Senator whose name is affixed to the original.

(2) A Senator who is not seeking or is ineligible for reelection and, therefore, will not be a Senator at the next regular session of the Legislature may not file a bill for that session. Once a Senator is no longer in office, any bill filed by that Senator for a current or future session of the Legislature shall be deemed withdrawn from further consideration of the Senate unless the bill has a co-introducer who, within seven (7) days, ~~agrees is willing~~ to become the introducer of the bill.

3.13—Fiscal notes

(1) Upon being favorably reported by a committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal ~~effects implications~~ of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical ~~or mechanical~~ defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries, and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to Senators.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time prior to final passage raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sittings Sessions of the Senate

The Senate shall ~~convene meet~~ pursuant to a schedule provided by the President or at the hour established by the Senate at its last sitting. This schedule shall set forth hours to convene and adjourn and may contain a schedule for the Special Order Calendars submitted by the Rules Chair, Majority Leader, and Minority Leader Calendar Group. During the first fifty (50) days of a regular session, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 8:00 p.m. Otherwise, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 6:00 p.m.

See Rule 1.2—The President calls the Senate to order.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

See FLA. CONST. art. III, s. 4 Quorum and procedure.

4.3—Daily Order of Business

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) Pledge of Allegiance to the Flag of the United States of America
- (d) Reports of Committees
- (e) Motions Relating to Committee Reference
- (f) Messages from the Governor and Other Executive Communications
- (g) Messages from the House of Representatives
- (h) Matters on Reconsideration
- (i) Consideration of Bills on Third (3rd) Reading
- (j) Special Order Calendars
- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and Approval of Journal
- (m) Unfinished Business

(2) The Secretary shall prepare and distribute, on each session weekday legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately. Weekend calendars may be prepared when necessary to provide notice of meetings on Saturday or Sunday.

See Rule 4.16—Consideration out of regular order.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President. Notwithstanding Rule 4.3(1), the Senate may, at the direction of the President, take up messages from the House at any time the direction of the President.

See Rule 1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills.

(4) Unless read during a sitting, first (1st) reading of a bill shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

See FLA. CONST. art. III, s. 7 Passage of bills.

(5) Except by unanimous consent of those Senators present at a sitting in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Senate Rules relating to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered

only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a sitting session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the location shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee of the Whole, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate ~~at~~ on two (2) consecutive sittings ~~legislative days~~, and on the completion of the second (2nd) reading the vote shall be:

- (a) on the adoption or rejection of the conference report thereof and, if adopted, the vote shall then be
- (b) on final passage of the measure as amended by the conference report recommended.

During the last five (5) days of a regular session and during any extension thereof, the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, ~~and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.~~

(3) Each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(4) ~~(3)~~ Except when the Senate is voting on a proposition, reports of conference committees shall always be in order.

4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees. ~~Any~~ General appropriations bills ~~bill~~, appropriations implementing bills, and appropriations conforming bills introduced by the Appropriations Budget Committee may be placed on the calendar without reference.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the introducer. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference by notice. ~~Notice shall be given~~ to the Secretary and the bill introducer.

(4) ~~If the President has not previously designated a standing subcommittee of reference, the chair of the standing committee shall promptly determine whether such measure shall initially be considered by the standing committee, a standing subcommittee, or a select subcommittee appointed by the chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for con-~~

~~sideration and may, at any time, remove the bill from the referenced subcommittee. If subreference is to a standing subcommittee, the chair of the standing committee shall promptly report this reference and the time allowed for consideration, or the removal of the bill from the referenced subcommittee, to the Secretary on forms prescribed by the Secretary.~~

(4) ~~(5)~~ The review of a bill that appears to be local in nature shall be performed by the Secretary Rules Committee to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(5) ~~(6)~~ A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(6) ~~(7)~~ When the Secretary Rules Committee, through staff review, has determined that the bill is not local in nature for referencing purposes, the Secretary committee shall report such determination to the President, who shall refer such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of receipt by the Secretary Rules Committee. When the Secretary Rules Committee, through staff review, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be available for the calendar on local bills notwithstanding Rule 4.3(5).

4.7—Reference to more than one committee; effect

(1) When a bill receives more than one (1) reference ~~In case of multiple reference of a bill~~, it shall be considered by each committee separately in the order in which the references are multiple ~~reference is~~ made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present while sitting.

(2) If a committee reports a bill favorably with committee substitute or with any amendment which substantially amends the bill, the President may change or correct the reference of the reported bill. ~~This Rule does not apply to a bill reported by a subcommittee unless the bill has been withdrawn from the standing committee.~~ Notice shall be given to the Secretary and the introducer of the bill.

4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

(1) All bills authorizing or substantially affecting appropriations or tax revenue shall be referred to reviewed ~~by~~ the appropriate revenue or appropriations committee.

(2) All bills substantially affecting a state-funded or state-administered retirement system shall be referred to reviewed ~~by~~ the Governmental Oversight and Accountability Committee.

(3) A bill containing a local mandate as described in ~~All bills which are affected by the provisions of Article VII, Section 18 of the State Constitution shall be referred to reviewed~~ by the Community Affairs Committee.

(4) A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* may, before being placed before the Senate for final passage, be referred by the President along with all amendments to the appropriate revenue or appropriations committee.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary on or before August 1 in order to be considered by the Senate during the next regular session, except that Senators elected to the Senate during a general election or a special general election may have sixty-two (62) days from

the date of that election to file a claim bill. Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty-two (62) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Rules Committee shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a special master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the *Florida Rules of Civil Procedure* and the *Florida Evidence Code*, as applicable. The special master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the special master who shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) All claim bills shall be referred by the President to one (1) or more committees for review. On receipt of the special master's report and recommendations, if any, the Secretary shall, upon the President's reference, deliver each claim bill with the report attached to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the special master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement. This subsection does not apply to a bill which relates to a claim of wrongful incarceration.

(7) All materials provided by litigants and others in connection with claim bills shall be submitted in a digital form prescribed by the Secretary.

4.9—Reference of resolutions

(1) Substantive All resolutions shall be referred by the President to a standing committee, except

(2) Resolutions that may be considered without reference to a committee include those addressing: on

- (a) Senate organization,
- (b) resolutions of condolence and commemoration that are of a statewide nonpolitical significance, and or
- (c) concurrent resolutions recalling a bill from the Governor's office, adopting setting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto.

The resolutions listed in subsection (2) These may be considered and read twice on the same day on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

(3) A joint resolution setting an effective date for a bill passed over the Governor's veto may be considered on motion and introduced without reference.

4.10—Reference to different committee or removal

After When the President has referred a bill, the Rules Chair may move for reference to a different committee or for removal from any committee after the introducer of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the Rules Chair, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

See FLA. CONST. art. III, s. 7 Passage of bills.

4.13—Reading of concurrent resolutions and memorials

(1) Each concurrent resolution or memorial shall receive two (2) separate readings by title on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present.

(2) Concurrent resolutions recalling used to recall a bill from the Governor's office, adopting adopt Joint Rules of the Legislature, extending extend a session of the Legislature, or setting set an effective date for a bill passed over the Governor's veto may be are exempt from the provisions of this Rule and may be introduced, read a the first (1st) and second (2nd) time, and adopted on the same day.

4.14—Reading of Senate resolutions

Unless referred to a standing committee, on introduction, each Senate resolution shall be read two (2) times on the same day by title only before the question is put on adoption by voice vote, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except as provided under Rule 4.8) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not fewer than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Procedure to establish Special Order Calendars and ealendar; Consent Calendars ealendar

(1) Commencing fifteen (15) days prior to a regular session of the Legislature permitted under the State Constitution and continuing through any extension thereof, permitted under the State Constitution, a Calendar Group, consisting of the Rules Chair, Rules Vice Chair, Ma-

majority Leader, and Minority Leader, ~~two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader,~~ shall together submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order in which ~~of~~ such bills appear on the published Special Order Calendar.

(2) ~~Except for~~ A Special Order Calendar submitted for the first (1st) day, ~~or second (2nd) day, or last fourteen (14) days~~ of a regular session shall be published in one (1) daily calendar and may be considered on the day of publication. A ~~each~~ Special Order Calendar for any other day during a regular session shall be published in two (2) daily calendars and may be considered on the second (2nd) day of publication. ~~for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include~~

- (a) Bills that had been scheduled for a Special Order Calendar for a previous sitting may be included in the next Special Order Calendar on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, ~~except that any~~
- (b) A bill appearing on a Special Order Calendar this calendar ~~may be stricken by a two-thirds (2/3) vote of those Senators present, or any~~
- (c) A bill appearing on the calendar of bills on second (2nd) reading may be added to the end of the Special Order Calendar by a two-thirds (2/3) vote of Senators present the same vote.
- (d) All bills set as Special Orders ~~Order~~ for consideration at the same hour shall take precedence in the order in which they were given preference.
- (e) A Special Order Calendar may not be submitted by the Rules Chair, Majority Leader, and Minority Leader and considered by the Senate on the same day.

(3) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule.

(4) Notice of date, time, and place for the establishment of the Special Order Calendars shall be published in at least one (1) a Senate calendar or ~~;~~ provided, during the last ten (10) days of each regular session, notice of date, time, and place may be given by announcement from the floor.

(5) ~~(4)~~ The Rules Chair, with the approval of the President, may submit a Consent Calendar, to be held in conjunction with the Special Order Calendars.

- (a) When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance.
- (b) Amendments shall be limited to accompanying committee amendments, noncontroversial and technical amendments, and amendments required to conform a House companion bill to the Senate bill.
- (c) When a ~~However, if an objection by any Senator objects to consideration of a bill on a Consent Calendar, the shall cause such bill shall to be removed from the Consent Calendar but retain temporarily postponed, it retains~~ its order on the Second (2nd) Reading regular Calendar.
- (d) All Consent Calendar bills must have appeared in at least one (1) daily on the printed Senate calendar.

4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Rules Chair and approved by the President. Any member of the delegation for the local area affected by a bill on the Local Bill Calendar may request that the bill be removed from such calendar.

4.19—Order after second (2nd) reading

(1) After The order of disposition of a Senate bill that has been read a the second (2nd) time and amended and all questions relative to it have been disposed of, it shall be referred shall be its reference to the engrossing clerk to be immediately engrossed. It shall then after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the ca-

alendar of bills on third (3rd) reading to be considered during the next Senate sitting on a succeeding legislative day.

(2) ~~No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed by the President, before the Senate have been disposed of. Amendments filed with the Secretary, but the adoption of which have not been formally moved, shall not be construed as to be pending and shall not so as to deter such advancement of a bill to third (3rd) reading.~~

(3) A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending.

(4) Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached in the proper order and read by title on the calendar and appropriately read to the Senate as directed by the President.

4.20—Enrolling

The Secretary shall be responsible for the enrolling of all Senate bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

See FLA. CONST. art. III, s. 7 Passage of bills.

4.21—Veto messages

~~As required by Article III, Section 8 of the State Constitution, if the originating house votes to re enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Rules Committee.~~

See FLA. CONST. art. III, s. 8 Executive approval and veto.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a voice vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. ~~Also,~~ This system may also be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the board and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all Senators voted?" And, after a short pause, shall state: "The Secretary shall now lock the board and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

5.2—Change of vote; votes after a roll call; vote verification

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or cast a late vote on the matter.

(2) Records of vote change and after the roll call requests shall be available at the Secretary's desk throughout the day's sitting.

(3) The original roll call shall not be altered, but, if no objections are raised before the close of business that day, timely filed changes of votes and votes after the roll call shall be accepted and recorded under the original roll call in the Journal.

~~(4) except that~~ No such change of vote or vote after the roll call request shall be accepted if valid where such vote would alter the result of the vote on final passage of the matter until the matter shall first have been returned to the desk and reconsidered recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. ~~If no objections are raised before the close of the business that day, requests will be accepted.~~

~~(5) (2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal.~~ On request of a Senator before considering other business, the President shall order a verification of a vote.

~~(3) A Senator who was not present for a daily session of the Senate or who was present but did not provide a vote record to the Secretary before the close of business that day, may provide to the Secretary an indication of vote preference. This indication shall be included in a dedicated section of the next Journal published after the Secretary receives the indication. An indication of vote preference will not be accepted if the indication would have, if recorded, altered the vote.~~

5.3—Casting vote for another

(1) No Senator shall cast a vote for another Senator unless the Senator is present in the Chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. ~~In addition to such penalties as may be prescribed by law,~~

(2) A Senator who shall, without such authorization, vote or attempt to vote for another Senator may be punished as the Senate may deem proper.

(3) ~~Also,~~ A person not a Senator who votes shall vote in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Repealed Pairing

~~(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.~~

~~(2) The Senator in attendance shall not vote in the electronic roll call.~~

~~(3) The pair vote form prescribed by the Secretary shall be used and shall:~~

- ~~(a) State the matter to which the pair applies;~~
- ~~(b) Indicate how both Senators would have voted;~~
- ~~(c) Be filed with the Secretary and announced prior to the vote, and~~
- ~~(d) Be recorded in the Journal.~~

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

(1) Procedural motions ~~Every motion~~ may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate.

(2) The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To reconsider and leave pending a main question
See Rule 6.4—Reconsideration generally.
- (b) ~~(a)~~ To adjourn
 - 1. At a time certain ~~Instanter~~
 - 2. Instanter ~~At a time certain~~
See FLA. CONST. art. III, s. 3(e) Sessions of the legislature.
- (c) ~~(b)~~ To recess ~~to a later day~~
- (d) ~~(c)~~ Questions of privilege
See Rule 8.11—Questions of privilege.
- ~~(d)~~ ~~To take a recess~~
- (e) To proceed to the consideration of executive business
- (f) To reconsider
See Rule 6.4—Reconsideration generally.
- (g) To limit debate
See Rule 8.6—Limitation on debate.
- (h) To temporarily postpone
See Rule 6.11—Temporarily postpone.
- (i) To postpone to a day certain
- (j) To commit to the Committee of the Whole
See Rule 4.4—Committee of the Whole.
- (k) To commit to a standing committee
- (l) To commit to a select committee
- (m) To amend
See Rule 7—Amendments.
- (n) To postpone indefinitely
See Rule 6.9—Motion to indefinitely postpone.

which shall have precedence in the descending order given.

(2) A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

~~(3) (2)~~ The President shall present all questions in the order in which they are moved unless the subsequent motion is of a higher precedence previous in nature.

~~(4) (3)~~ When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered concurrently and the substitute shall be in the same order of precedence.

~~(5)~~ Motions for the previous question and to lay on the table shall not be entertained.

6.3—Division of question

(1) A Senator may move for a division of a question when the sense will admit of it, which shall be decided by a majority vote.

(2) A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the day the matter was decided ~~same~~ or on the next legislative day on which the Senate sits ~~meets~~.

- (a) If the question has been decided by voice vote, any Senator may ~~so~~ move for reconsideration thereof.
- (b) When a majority of those Senators present vote in the affirmative on the question but the proposition is ~~be~~ lost because it is one in which the concurrence of more than a

majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion to reconsider may be made prior to or pending a motion to recess ~~to a later day~~ or adjourn.

(3) ~~(a)~~ Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate at its next sitting and ~~when it next meets on a legislative day succeeding that on which the motion was made and~~, unless taken up under the proper order of business ~~considered on that said day by motion of any Senator, shall be deemed considered~~ abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.

(4) ~~(b)~~ During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day and time it is offered.

6.5—Reconsideration; vote required

The affirmative votes of a majority of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable, no Senator shall speak thereon more than once ~~or~~ longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day and at the same time ~~on which~~ it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of ~~a any~~ motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and immediately certify any bill to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days ~~of allowed under the State Constitution for~~ a regular session and during any extensions thereof, or during ~~a any~~ special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted by the Secretary forthwith.

See Rule 6.4—Reconsideration generally.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

6.10—Committee substitute; withdrawn

Once a bill has been reported as a committee substitute, it may be withdrawn from further consideration only by motion of the introducer and unanimous consent of the Senators present ~~Senate~~.

6.11—Temporarily Postpone

(1) The motion to temporarily postpone shall be decided without debate and shall cause a measure to be set aside but retained on the desk.

(2) If a main question has been temporarily postponed after having been debated or after motions have been applied and is not brought back up during the same sitting, it shall be placed under the order of unfinished business on the Senate calendar. If a main question is temporarily postponed before debate has commenced or motions have been applied, its reading shall be considered a nullity and the bill shall retain its original position on the order of business during that sitting; otherwise, the bill reverts to the status of bills on second (2nd) or third (3rd) reading, as applicable.

(3) The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending.

(4) If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the Senate in the course of consideration of the adhering or main question, it shall be deemed abandoned.

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar shall be considered by the Senate unless the amendment was prepared in proper form and filed with the Secretary no later than 5:00 p.m. the day before it is to be offered at a sitting prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary before the sitting session, upon request, to the Senators and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present, if any member requests that such vote be taken.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

(4) The following bills are out of order and shall not be admitted or considered in the form of an amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills that which have received an unfavorable committee report.
- (b) Bills that which have been withdrawn from further consideration by the introducer.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills that which have not been published in at least one (1) daily calendar legislative day under Bills on Second (2nd) Reading in the Senate calendar.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

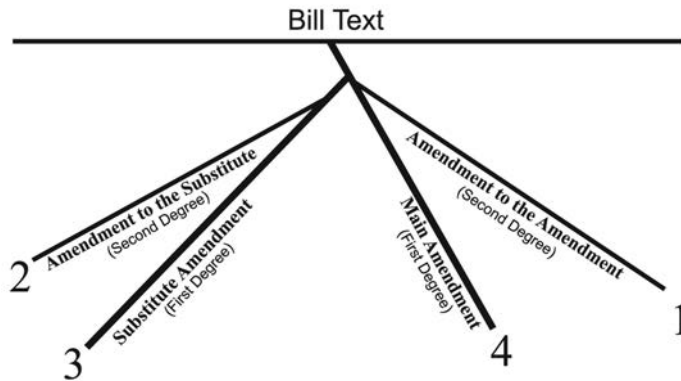
(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

(2) On third (3rd) reading, amendments and amendments to the substitute, including substitute amendments and amendments to the substitute, shall be adopted by a two-thirds (2/3) vote of those Senators present.

(3) Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order shown below:



- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
 - (b) Amendments to the substitute are next voted on.
 - (c) The substitute then is voted on.
- (2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.
- (3) Amendments of the third (3rd) degree are out of order. The following amendments are out of order:

- (a) ~~A substitute amendment for an amendment to an amendment.~~
- (b) ~~A substitute amendment for an amendment to a substitute.~~

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same or related general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal, except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is transmitted to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may consider the following motions in order of their precedence:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may consider the following motions in order of their precedence:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT

DECORUM AND DEBATE

8.1—Decorum and debate

(1) When a Senator desires to speak or present a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to “Mr. or Madam President” and, on being recognized, may address the Senate from his or her desk or from the well of the Senate and shall confine any remarks to the question under debate, avoiding personality.

(2) A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of “Senator” or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer’s power of recognition

When two (2) or more Senators rise at once, the presiding officer shall recognize the Senator who is to speak first.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a Senator is speaking and another Senator interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the Senator desires to raise is entitled to precedence, the Senator originally speaking shall relinquish the floor until the question having precedence is disposed of. The Senator then is entitled to resume the floor.

(2) The Senator making a debatable motion or the introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation on debate

When a matter is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the matter on which debate would be limited shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly. Debate may be further extended by a majority vote.

8.7—Points of order, parliamentary inquiry, definitions

(1) A “point of order” ~~point of order~~ is the parliamentary device ~~that~~ ~~is~~ used to require a deliberative body to observe its own rules and to follow established parliamentary practice.

(2) A “parliamentary inquiry” ~~parliamentary inquiry~~ is a request for information from the presiding officer; ~~the~~

- (a) About business pending or soon to be pending before the Senate; or
- (b) A device for obtaining a predetermination of a rule or a clarification thereof which and may be presented in hypothetical form.

8.8—Questioning decision not to abstain

A point of order questioning the decision of a Senator not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.

See Rule 1.20—Attendance, voting, and disclosure of conflicts.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

- (1) Questions of privilege have two (2) forms ~~shall be:~~
 - (a) Privilege of the Senate—Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
 - (b) Privilege of a Senator—The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) These shall have precedence over all other questions except motions to ~~recess to a later day or adjourn or recess.~~ A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual Senator.

RULE NINE**LOBBYING****9.1—Those required to register**

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida Legislature.

9.2—Obligations of lobbyist

(1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

(2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.

(3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists’ requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.35—Contributions during sessions

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator’s own campaign, or to any organization that is registered, or should have been registered, with the Rules Committee pursuant to Rule 1.361(3).

9.4—Advisory opinions

(1) A lobbyist, when in doubt about the applicability and interpretation of Rule Nine (9) in a particular context, may submit in writing a statement of the facts involved to the Rules Committee and may appear in person before said committee.

(2) The Rules Committee may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal.

9.5—Compilation of opinions

The Secretary shall compile ~~keep a compilation of~~ all advisory opinions of the Rules Committee.

9.6—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair alleging a violation of the Rules regulating the conduct and ethics of lobbyists. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named lobbyist which form the basis for the complaint, and shall identify the specific Rule ~~Rule(s)~~ alleged by the complainant to have been violated by the lobbyist. Upon a determination by the Rules Chair that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. Upon a determination by the chair that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed. The special master shall conduct an investigation, shall give reasonable notice to the lobbyist who is alleged to have violated the Rules, and shall grant the lobbyist an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master’s report and recommendation is advisory only and shall be presented to the chair as soon as practicable after the close of the investigation. If the special master’s report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair. If

the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the lobbyist an opportunity to be heard, and shall develop its own recommendation. If the Rules Committee votes to dismiss the complaint, the Rules Chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) ~~Separately from any prosecutions or penalties otherwise provided by law,~~ Any person determined to have violated the requirements of this Rule Nine (9) shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any Senate committee. Such determination shall be made by a majority vote of the Senate, on recommendation of the Rules Committee.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed to ~~with~~ the requirements of Rule Nine (9), the Joint Rules, and ~~any other applicable law the Laws of Florida,~~ and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

9.8—Lobbyist expenditures and compensation

Chapter 2005-359, *Laws of Florida*, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly stated exceptions, so that Senators and Senate employees can no longer directly or indirectly take any "expenditure" from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that "lobbying firms" must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly tailored, furthers the state's compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A Senator may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*.... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida's gift law, section 112.3148, *Florida Statutes*, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

"*Expenditure*" is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

"*Lobbying*," in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication ("active lobbying"); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature ("goodwill").

"*Goodwill expenditure*" is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or indirectly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A "*lobbyist*" is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

"*Personal benefit*" means a profit or gain pertaining to, directed toward, or affecting a person.

A "*principal*" means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is

obligated to register as a lobbyist but has failed to do so. Third-party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

TEST FOR DETERMINING LEGALITY OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist's or principal's intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist's or principal's item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging, or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother,

stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of “relative” is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient’s employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in section 112.312(12)(b), *Florida Statutes*, and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida’s citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*, or its federal law counterpart; campaign-related personal services provided without compensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)(4) or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as “media advertising,” “publications,” “communications,” and “research.”

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of “active lobbying” (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to “instruct their representatives.”

5. Office and Personal Expenses of Lobbyists and Principals

“Office expenses” and personal expenses of the lobbyist or principal for “travel,” “lodging,” and “food and beverages” as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida, is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro rata portion of a host’s monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates that have no substantial inherent value other than recognizing the donee’s public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in section 11.045, *Florida Statutes*, it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (section 112.3148, *Florida Statutes*) and the campaign finance law (chapter 106, *Florida Statutes*).

(2) Frequently Asked Questions

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., “Flavors of Hillsborough”)?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee *provided* that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, provided the organization hosting the event is not a principal *and* none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can “legislative days” that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: “Legislative days” and other legislative events funded by lobbyist or principal dollars may continue *provided* no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through contributions solicited from lobbyists or principals who sponsor the reception or event?*

ANSWER: The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may “pop in” and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions / BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a “fundraiser”? Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*. However, if the facts and circumstances demonstrate that calling the event a “fundraiser” is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida’s campaign finance law (chapter 106, *Florida Statutes*).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator’s or legislative employee’s expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child’s parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or *indirectly*. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for “floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session”?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (section 112.3148, *Florida Statutes*). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist’s home, whether or not active lobbying occurs?*

ANSWER: Yes, *provided* the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator’s and lobbyist’s friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, *provided* the dinner is “Dutch treat.”

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner “Dutch treat” at the Governor’s Club?*

ANSWER: Yes, *provided* the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist’s business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or *indirectly*. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for *knowingly* accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. “Knowingly” has many statutory definitions, including that a person: (1) has *actual knowledge* of the information; (2) acts in *deliberate ignorance* of the truth or falsity of the information; or, (3) acts in *reckless disregard* of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make *reasonable inquiry* as to the source of the proposed expenditure to determine whether it is prohibited. *Reasonableness* will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, *at a minimum*, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn’t know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, *at a minimum*, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don’t know visiting from Colorado and who subsequently offers to pay for the legislator’s and spouse’s dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, *provided* the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a con-

tribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity’s work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator’s or legislative employee’s employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts, or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator’s or legislative employee’s service as a member of the board.

21. *Question: Can a legislative caucus that is established as a non-profit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a non-profit group host its own charity golf tournament funded by lobbyist or principal “sponsors” at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

ANSWER: Yes, *provided* the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, *provided* the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by “relatives” of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer’s retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses *associated primarily with a legislator’s or legislative employee’s employment*, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator’s office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant at Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Chapter 2005-359, *Laws of Florida*, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A “lobbying firm” is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. Compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as “media fees,” “consulting services,” “professional services,” “governmental services,” and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation report and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in section 837.06, *Florida Statutes*, for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a “lobbying firm” as defined in section 11.045(1)(g), *Florida Statutes*. Only “lobbying firms” must report compensation as provided in section 11.045(3)(a), *Florida Statutes*.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable “compensation” under the law must be provided to a “lobbying firm,” and not contracted or subcontracted through some “straw man” to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of “compensation” in section 11.045(1)(b), *Florida Statutes*, as “anything of value provided or owed to a *lobbying firm*.”

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is sitting in session except present members of the Senate, all officers and employees of the Senate in the performance of

their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former Governors, present and former United States Senators, present and former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9). During a sitting, no person admitted under this Rule shall engage in any lobbying activity for or against any measure under consideration in the Senate.

10.3—Admission of ~~media press~~ by President

Members of the ~~media press and of radio and television stations~~, in performance of their duties, shall be assigned to a ~~press~~ section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is sitting in session, except with the approval of the President.

10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is sitting in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—Interpretation of Rules

It shall be the duty of the President, or the temporary presiding officer ~~for the time being~~, to interpret all Rules. ~~Motions for the previous question and to lay on the table shall not be entertained.~~

11.2—Waiver and suspension of Rules

(1) These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate.

(2) A motion to waive a Rule requiring unanimous consent of the Senate shall require ~~be construed to be an amendment to these Rules and shall be referred to the Rules Committee except by~~ unanimous consent of those Senators present for approval.

11.3—Changes in Rules

(1) All proposed revisions of actions regarding the Rules and Order of Business ~~in the Senate~~ Rules shall be first referred to the Rules Committee, which shall report as soon as practicable. Consideration of such a report shall always be in order.

(2) The Rules Committee may originate reports and resolutions dealing with the Senate Rules and the Order of Business which may be approved by a two-thirds (2/3) vote, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by the Senate Rules or the *State Constitution*, all action by the Senate or any of its committees or subcommittees, including references to members or Senators present, shall be by majority vote of those Senators present and voting.

See FLA. CONST. art. X, s. 12(e) Rules of construction.

11.5—Uniform construction

When in the Senate Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present and voting, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in the Senate Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided or where the context indicates otherwise, the use of the word “bill,” “measure,” “question,” or “matter” means a bill, joint resolution, concurrent resolution, resolution, or memorial; however, “matter” also means an amendment, an appointment, or a suspension.

11.7—Sources of procedural authority

The latest edition of Mason’s Manual of Legislative Procedure, Jefferson’s Manual, or other manuals of comparable legislative application may be consulted, but shall not be binding, when a question of parliamentary procedure is not addressed by the State Constitution, these Rules, Joint Rules, or prior rulings of the presidents.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—Executive session; authority

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Executive session; work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

12.5—Executive session; separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

PART TWO—APPOINTMENTS, SUSPENSIONS, AND REMOVALS

12.7—Procedure; generally

(4) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Ethics and Elections Committee Subcommittee, other appropriate committee or committees, or a special master appointed by the President. Any such committee, subcommittee, or special master shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee, subcommittee, or ~~the~~ special master appointed pursuant hereto are advisory only and shall be made to the President. The report of the committee, subcommittee, or ~~the~~ special master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Rules Committee for its consideration and report. When the report is presented to the Senate during an open sitting in open session or received by the Rules Committee, the report shall lose its privileged and confidential character.

12.8—Procedure on executive appointments

(1) (2) Upon receipt of a request from ~~by~~ the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal. The appointee whose appointment was returned continues in office until the end of the next ensuing regular session of the Legislature or until the Senate confirms a successor, whichever occurs first.

(2) (a) If the appointment returned was made by the Governor, official or authority’s predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.

(3) (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.

12.9—Procedure upon receipt of an executive suspension

(1) Unless suspension proceedings are held in abeyance, the committee, subcommittee, or special master shall institute action by transmitting a notice of hearing for a prehearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. The Governor and the suspended official shall be given reasonable notice in writing of any hearing or prehearing conference before the committee, subcommittee, or special master. If the Governor files an amended suspension order, the attention of the Senate, committee, subcommittee, or special master shall be directed at the amended suspension order.

(2) (3) An executive suspension of a public official ~~who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record~~, or an executive suspension of a public official that is challenged in a court shall be referred to the Ethics and Elections Committee Subcommittee, other appropriate committee, or special master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, committee, subcommittee, or special master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above. The committee, subcommittee, or special master shall institute action within three (3) months after the conclusion of any pending proceedings. In a suspension case in which the criminal charge is a misdemeanor ~~not for the alleged commission of a felony~~, the committee, subcommittee, or special master and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(3) (4) The committee, subcommittee, or special master may provide for a prehearing conference with counsel for the Governor and the sus-

pended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence. The suspended official may file with the Secretary, no later than ten (10) days prior to the first (1st) prehearing conference, or no later than the date set by the committee, subcommittee, or special master if no prehearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order. The Governor and the suspended official shall be given reasonable notice in writing of any hearing or prehearing conference before the committee or special master.

(4) (5) When it is advisable, the committee, subcommittee, or special master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after receipt of the Governor's bill of particulars, the suspended officer shall file a response with the committee, subcommittee, or special master. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension. The suspended official may file with the Secretary, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee, subcommittee, or special master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(5) (6) The Senate may act on the recommendations of the committee, subcommittee, or special master at any time it is sitting but shall do so no later than the end of the next regular session of the Legislature. When it is advisable, the committee, subcommittee, or special master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee, subcommittee, or special master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(6) (7) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or special master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or special master may dispose of such exhibits or other evidence. The committee, subcommittee, or special master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(8) Subject to the limitations of Rule 12.7(3), the committee, subcommittee, or special master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee, subcommittee, or special master but is held in abeyance in accordance with Rule 12.7(3), the committee, subcommittee, or special master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). The Senate may act on the recommendations of the committee, subcommittee, or special master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed

a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(10) If the Governor files an amended suspension order, the attention of the Senate, committee, subcommittee, or special master shall be directed at the amended suspension order.

(11) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or special master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or special master may dispose of such exhibits or other evidence.

See FLA. CONST. art. IV, s. 7(b) Suspensions; filling office during suspensions.

12.10—Adjudication of guilt not required to remove suspended officer

For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

12.11 12.8—Special master; appointment

The President may appoint and contract for the services of a special master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.12 12.9—Special master; floor privilege

With consent of the President, the special master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.13 12.10—Issuance of subpoenas and process

The committee, subcommittee, and special master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair, subcommittee chair, and special master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee, subcommittee, or special master.

12.14 12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, Rule Twelve (12), derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN

SPECIAL SESSION

13.1—Applicability of Senate Rules

All Senate Rules shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sittings Sessions of the Senate

The Senate shall convene meet each legislative day at 9:00 a.m. or pursuant to a schedule provided by the President or at the hour established by the Senate at its last sitting.

13.3—Committee meetings; schedule, notice

(1) Committee meetings shall be scheduled by the President.

(a) Meetings of committees scheduled in accordance with this Rule may be held after notice is published on the Senate

website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol made available in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. If possible, such notice shall appear in the daily calendar.

- (b) A committee may meet less than two (2) hours after the convening of a special session if a notice is filed with the Secretary by 5:00 p.m. of the day prior to the meeting.

(2) The notice shall include the date, time, and place of the meeting together with the name of the introducer, subject, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills for introduction may be delivered to the Secretary at any time.

13.5—Committee reports

(1) Bills ~~Every bill~~ referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day ~~after from~~ the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present.

(2) Any bill on which no committee report is filed ~~as required above~~ may be withdrawn from such committee and ~~placed on the Calendar of Bills on Second (2nd) Reading~~ calendared on a point of order.

(3) Bills ~~Every bill~~ referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate ~~on two (2) consecutive legislative days~~ and, on the completion of the ~~second (2nd)~~ reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. ~~During the last two (2) days of a special session the report shall be read only once.~~ A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house.

(5) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day when made.

13.8—Procedure to establish Special Order Calendars ~~calendar~~

(1) ~~A Calendar Group, consisting of The Rules Chair, Rules Vice Chair, Majority Leader, and Minority Leader, two (2) members of the Rules Committee designated by the President, and one (1) member of the Rules Committee designated by the Minority Leader, shall together~~ submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order in which ~~of~~ such bills appear on the published Special Order Calendar.

See Rule 4.16—Consideration out of regular order.

(2) Such Special Order Calendar shall be published in one (1) daily calendar and may be considered on the day published for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, whichever occurs later.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof may be used only in connection with official Senate business.

On motion by Senator Thrasher, by unanimous consent—

By Senator Thrasher—

SCR 2-Org.—A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2012-2014 term.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the following joint rules shall govern the Florida Legislature for the 2012-2014 term:

JOINT RULES

Joint Rule One—Lobbyist Registration and Compensation Reporting

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires, the term:

(a) "Compensation" means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value pro-

vided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(c) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) “Lobbying firm” means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying and where any partner, owner, officer, or employee of the business entity is a lobbyist. “Lobbying firm” does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying or if such compensation is received exclusively from a subsidiary or affiliate corporation of the employer. As used in this paragraph, an affiliate corporation is a corporation that directly or indirectly shares the same ultimate parent corporation as the employer and does not receive compensation for lobbying from any unaffiliated entity.

(e) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(f) “Office” means the Office of Legislative Services.

(g) “Payment” or “salary” means wages or any other consideration provided in exchange for services but does not include reimbursement for expenses.

(h) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(i) “Unusual circumstances,” with respect to any failure of a person to satisfy a filing requirement, means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to satisfy the filing requirement.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours and who does not otherwise meet the definition of lobbyist.

(5) When a person, regardless of whether the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record as required by the respective house.

(6) The responsibilities of the office and of the Lobbyist Registration Office under Joint Rule One may be assigned to another entity by agreement of the President of the Senate and the Speaker of the House of Representatives for a contract period not to extend beyond December 1 following the Organization Session of the next biennium, provided that the powers and duties of the President, the Speaker, the General Counsel of the Office of Legislative Services, and any legislative committee referenced in Joint Rule One may not be delegated.

1.2—Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person’s full legal name, business address, and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal’s representative, that the registrant is authorized to represent the principal. On the authorization statement, the principal or principal’s representative shall also identify and designate the principal’s main business pursuant to a classification system approved by the Office of Legislative Services, which shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal’s main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall retain all original registration documents submitted under this rule.

(6) A person who is required to register under Joint Rule One, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of ss. 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering Joint Rule One, each person who registers under Joint Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this rule shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering Joint Rule One.

1.4—Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the office for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. The report shall include the:

1. Full name, business address, and telephone number of the lobbying firm;

2. Registration name of each of the firm's lobbyists; and

3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; or \$1 million or more.

(b) For each principal represented by one or more of the firm's lobbyists, the lobbying firm's compensation report shall also include the:

1. Full name, business address, and telephone number of the principal; and

2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm's principal for reporting purposes under this paragraph; and

2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm's principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this rule; certify that no compensation has been omitted from this report by deeming such compensation as "consulting services," "media services," "professional services," or anything other than compensation; and certify that no officer or employee of the firm has made an expenditure in violation of s. 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(2) For each principal represented by more than one lobbying firm, the office shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as follows:

Category (dollars)	Dollar amount to use aggregating
0	0
1-9,999	5,000
10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000
50,000 or more	Actual amount reported

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements shall be filed by electronic means through the electronic filing system developed by the office, conforming to subsection (4).

(4) The electronic filing system for compensation reporting shall include the following:

(a) As used in this rule, the term "electronic filing system" means an Internet system for recording and reporting lobbying compensation and other required information by reporting period.

(b) A report filed pursuant to this rule must be completed and filed through the electronic filing system not later than 11:59 p.m. of the day designated in subsection (3). A report not filed by 11:59 p.m. of the day designated is a late-filed report and is subject to the penalties under Joint Rule 1.5(1).

(c) Each person given secure sign-on credentials to file via the electronic filing system is responsible for protecting the credentials from disclosure and is responsible for all filings made by use of such credentials, unless and until the office is notified that the person's credentials have been compromised. Each report filed by electronic means pursuant to this rule shall be deemed certified in accordance with paragraph (1)(d) by the person given the secure sign-on credentials and, as such, subjects the person and the lobbying firm to the provisions of s. 11.045(8), Florida Statutes, as well as any discipline provided under the rules of the Senate or House of Representatives.

(d) The electronic filing system shall:

1. Be based on access by means of the Internet.

2. Be accessible by anyone with Internet access using standard web-browsing software.

3. Provide for direct entry of compensation-report information as well as upload of such information from software authorized by the office.

4. Provide a method that prevents unauthorized access to electronic filing system functions.

5. Provide for the issuance of an electronic receipt to the person submitting the report indicating and verifying the date and time that the report was filed.

(5) The office shall provide reasonable public notice of the electronic filing procedures and of any significant changes in such procedures. If, whenever they deem it necessary, the President of the Senate and the Speaker of the House of Representatives jointly declare the electronic system not to be operable, the reports shall be filed in the manner required prior to April 1, 2007, as provided by House Concurrent Resolution 7011 (2007), enrolled, unless the President of the Senate and the Speaker of the House of Representatives direct use of an alternate means of reporting. The office shall develop and maintain such alternate means as may be practicable. Public notice of changes in filing procedures and any declaration or direction of the President of the Senate and the Speaker of the House of Representatives may be provided by publication for a continuous period of reasonable time on one or more Internet websites maintained by the Senate and the House of Representatives.

1.5—Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine based on when the report is actually received by the office or when the electronic receipt issued by the electronic filing system is dated, whichever is earlier.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the office. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of the firm's intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived and all late reports have been filed or waived. The office shall promptly notify all affected principals, the President of the Senate, and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid and all late reports have been filed or waived or until the fine is waived as to that lobbyist and all late reports for that lobbyist have been filed or waived. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the office of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6—Open Records; Internet Publication of Registrations and Compensation Reports

(1) All of the lobbyist registration forms and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

(2) The office shall make information filed pursuant to Joint Rules 1.2 and 1.4 reasonably available on the Internet in an easily understandable and accessible format. The Internet website shall include, but not be limited to, the names and business addresses of lobbyists, lobbying firms, and principals, the affiliations between lobbyists and principals, and the classification system designated and identified with respect to principals pursuant to Joint Rule 1.2.

1.7—Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to Joint Rule One, the Senate Rules, or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8—Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation involving that person's conduct. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each

house. A committee of either house designated pursuant to section 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) A person in doubt about the applicability or interpretation of this Joint Rule One with respect to that person's conduct may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to s. 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with s. 11.045(5), Florida Statutes.

1.9—Effect of Readoption and Revision

All obligations existing under Joint Rule One as of the last day of the previous legislative biennium are hereby ratified, preserved, and re-imposed pursuant to the terms thereof as of that date. The provisions of Joint Rule One are imposed retroactively to the first day of the present legislative biennium except that provisions new to this revision are effective on the date of adoption or as otherwise expressly provided herein.

Joint Rule Two—General Appropriations Review Period

2.1—General Appropriations and Related Bills; Review Periods

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building.

(5)(a) Copies required to be furnished under subsection (4) shall be furnished to members of the Legislature as follows:

1. A printed copy may be placed on each member's desk in the appropriate chamber; or

2. An electronic copy may be furnished to each member. The Legislature hereby deems and determines that a copy shall have been furnished to the members of the Legislature when an electronic copy is made available to every member of the Legislature. An electronic copy is deemed to have been made available when it is accessible via the Internet or other information network consisting of systems ordinarily serving the members of the Senate or the House of Representatives.

(b) An official other than a member of the Legislature who is to be furnished a copy of a general appropriations bill under subsection (4) may officially request that an electronic copy of the bill be furnished in lieu of a printed copy, and, if practicable, the copy may be furnished to the official in the manner requested.

(6) The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(7) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be furnished under subsection (4). The Speaker of the House of Representatives and the President of the Senate, as appropriate, shall be informed of the completion

time, and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

(8) An implementing or conforming bill recommended by a conference committee shall be subject to a 24-hour public review period before a vote is taken on the conference committee report by either house, if the conference committee submits its report after the furnishing of a general appropriations bill to which the 72-hour public review period applies.

(9) With respect to each bill that may be affected, a member of the Senate or the House of Representatives may not raise a point of order under this rule after a vote is taken on the bill. Except as may be required by the Florida Constitution, noncompliance with any requirement of this rule may be waived by a two-thirds vote of those members present and voting in each house.

2.2—General Appropriations and Related Bills; Definitions

As used in Joint Rule Two, the term:

(1) "Conforming bill" means a bill that amends the Florida Statutes to conform to a general appropriations bill.

(2) "General appropriations bill" means a bill that provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill that contains appropriations that are incidental and necessary solely to implement a substantive law is not included within this term. For the purposes of Joint Rule Two and Section 19(d) of Article III of the Florida Constitution, the Legislature hereby determines that, after a general appropriations bill has been enacted and establishes governing law for a particular fiscal year, a bill considered in any subsequent session that makes net reductions in such enacted appropriations or that makes supplemental appropriations shall not be deemed to be a general appropriations bill unless such bill provides for the salaries of public officers and other current expenses of the state for a subsequent fiscal year.

(3) "Implementing bill" means a bill, effective for one fiscal year, implementing a general appropriations bill.

Joint Rule Three—Joint Offices and Policies

3.1—Joint Legislative Offices

(1) The following offices of the Legislature are established:

(a) Office of Economic and Demographic Research.

(b) Office of Legislative Information Technology Services.

(c) Office of Legislative Services.

(d) Office of Program Policy Analysis and Government Accountability.

(2) Offices established under this rule shall provide support services to the Legislature that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by and serving at the pleasure of the President of the Senate and the Speaker of the House of Representatives. Upon the initial adoption of these joint rules in a biennium, each coordinator position shall be deemed vacant until an appointment is made.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the coordinator and the staff of each office shall be governed by joint policies.

(4) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (5)-(7).

(5) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(6) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.

(7) The Office of Program Policy Analysis and Government Accountability shall:

(a) Perform independent examinations, program reviews, and other projects as provided by general law, as provided by concurrent resolution, as directed by the Legislative Auditing Committee, or as directed by the President of the Senate or the Speaker of the House and shall provide recommendations, training, or other services to assist the Legislature.

(b) Transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues.

3.2—Joint Policies

(1) The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature. Such policies shall be binding on all employees of joint offices and joint committees.

(2) The employees of all joint committees and joint legislative offices shall be under the exclusive control of the Legislature. No officer or agency in the executive or judicial branch shall exercise any manner of control over legislative employees with respect to the exercise of their duties or the terms and conditions of their employment.

Joint Rule Four—Joint Committees

4.1—Standing Joint Committees

(1) The following standing joint committees are established:

- (a) Administrative Procedures Committee.
- (b) Committee on Public Counsel Oversight.
- (c) Legislative Auditing Committee.

(2) No other joint committee shall exist except as agreed to by the presiding officers or by concurrent resolution approved by the Senate and the House of Representatives.

(3) Appointments to each standing joint committee shall be made or altered and vacancies shall be filled by the Senate and the House of Representatives in accordance with their respective rules. There shall be appointed to each standing joint committee no fewer than five and no more than seven members from each house.

(4)(a) The President of the Senate shall appoint a member of the Senate to serve as the chair, and the Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

2. The Administrative Procedures Committee for the period from noon on December 1 of the calendar year following the general election until the next general election.

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the chair, and the President of the Senate shall appoint a member of the Senate to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from noon on December 1 of the calendar year following the general election until the next general election.

2. The Administrative Procedures Committee for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

(c) A vacancy in an appointed chair or vice chair shall be filled in the same manner as the original appointment.

4.2—Procedures in Joint Committees

The following rules shall govern procedures in joint committees other than conference committees:

(1) A quorum for a joint committee shall be a majority of the appointees of each house. No business of any type may be conducted in the absence of a quorum.

(2)(a) Joint committees shall meet only within the dates, times, and locations authorized by both the President of the Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the chair. In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or joint rule. During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another joint committee member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives no later than 4:30 p.m. of the 7th day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a joint committee may continue a properly noticed meeting after the expiration of the time called for the meeting. However, a joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

(3) The presiding officers shall interpret, apply, and enforce rules governing joint committees by agreement when the rule at issue is a joint rule. Unless otherwise determined or overruled by an agreement of the presiding officers, the chair shall determine all questions of order arising in joint committee meetings, but such determinations may be appealed to the committee during the meeting.

(4) Each question, including any appeal of a ruling of the chair, shall be decided by a majority vote of the members of the joint committee of each house present and voting.

4.3—Powers of Joint Committees

(1) A joint committee may exercise the subpoena powers vested by law in a standing committee of the Legislature. A subpoena issued under this rule must be approved and signed by the President of the Senate and the Speaker of the House of Representatives and attested by the Secretary of the Senate and the Clerk of the House.

(2) A joint committee may adopt rules of procedure that do not conflict with the Florida Constitution or any law or joint rule, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(3) A joint committee may not create subcommittees or workgroups unless authorized by both presiding officers.

4.4—Administration of Joint Committees

(1) Within the monetary limitations of the approved operating budget, the expenses of the members and the salaries and expenses of the staff of each joint committee shall be governed by joint policies adopted under Joint Rule 3.2. Within such operating budget, the chair of each joint committee shall approve all authorized member expenses.

(2) Subject to joint policies adopted under Joint Rule 3.2, the presiding officers shall appoint and remove the staff director and, if needed, a general counsel and any other staff necessary to assist each joint committee. All joint committee staff shall serve at the pleasure of the presiding officers. Upon the initial adoption of these joint rules in a biennium, each joint committee staff director position shall be deemed vacant until an appointment is made.

4.5—Special Powers and Duties of the Legislative Auditing Committee

(1) The Legislative Auditing Committee may direct the Auditor General or the Office of Program Policy Analysis and Government Accountability to conduct an audit, review, or examination of any entity or record described in s. 11.45(2) or (3), Florida Statutes.

(2) The Legislative Auditing Committee may receive requests for audits and reviews from legislators and any audit request, petition for audit, or other matter for investigation directed or referred to it pursuant to general law. The committee may make any appropriate disposition of such requests or referrals and shall, within a reasonable time, report to the requesting party the disposition of any audit request.

(3) The Legislative Auditing Committee may review the performance of the Auditor General and report thereon to the Senate and the House of Representatives.

4.6—Special Powers and Duties of the Administrative Procedures Committee

The Administrative Procedures Committee shall:

(1) Maintain a continuous review of the statutory authority on which each administrative rule is based and, whenever such authority is eliminated or significantly changed by repeal, amendment, holding by a court of last resort, or other factor, advise the agency concerned of the fact.

(2) Maintain a continuous review of administrative rules and identify and request an agency to repeal any rule or any provision of any rule that reiterates or paraphrases any statute or for which the statutory authority has been repealed.

(3) Review administrative rules and advise the agencies concerned of its findings.

(4) Exercise the duties prescribed by chapter 120, Florida Statutes, concerning the adoption and promulgation of rules.

(5) Generally review agency action pursuant to the operation of chapter 120, Florida Statutes, the Administrative Procedure Act.

(6) Report to the President of the Senate and the Speaker of the House of Representatives at least annually, no later than the first week of the regular session, and recommend needed legislation or other appropriate action. Such report shall include the number of objections voted by the committee, the number of suspensions recommended by the committee, the number of administrative determinations filed on the invalidity of a proposed or existing rule, the number of petitions for judicial review filed on the invalidity of a proposed or existing rule, and the outcomes of such actions. Such report shall also include any recommendations provided to the standing committees during the preceding year under subsection (11).

(7) Consult regularly with legislative standing committees that have jurisdiction over the subject areas addressed in agency proposed rules regarding legislative authority for the proposed rules and other matters relating to legislative authority for agency action.

(8) Subject to the approval of the President of the Senate and the Speaker of the House of Representatives, have standing to seek judicial review, on behalf of the Legislature or the citizens of this state, of the validity or invalidity of any administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed, or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee's proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the

committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

(9) Maintain a continuous review of the administrative rulemaking process, including a review of agency procedure and of complaints based on such agency procedure.

(10) Establish measurement criteria to evaluate whether agencies are complying with the delegation of legislative authority in adopting and implementing rules.

(11) Maintain a continuous review of statutes that authorize agencies to adopt rules and shall make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

4.7—Special Powers and Duties of the Committee on Public Counsel Oversight

(1) The Committee on Public Counsel Oversight shall appoint a Public Counsel.

(2) The Committee on Public Counsel Oversight may file a complaint with the Commission on Ethics alleging a violation of chapter 350, Florida Statutes, by a current or former public service commissioner, an employee of the Public Service Commission, or a member of the Public Service Commission Nominating Council.

(3) Notwithstanding Joint Rule 4.4(2), the Committee on Public Counsel Oversight shall not have any permanent staff but shall be served as needed by other legislative staff selected by the President of the Senate and the Speaker of the House of Representatives.

Joint Rule Five—Auditor General

5.1—Rulemaking Authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and Accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit Report Distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Chief Financial Officer, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

(6) A copy required to be provided under this rule may be provided in an electronic or other digital format if the Auditor General determines that the intended recipient has appropriate resources to review the copy. Copies to members, committees, and offices of the Legislature shall be provided in electronic format as may be provided in joint policies adopted under Joint Rule 3.2.

Joint Rule Six—Joint Legislative Budget Commission

6.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions taken or proposed to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through its chair, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Chief Financial Officer and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

6.2—Organizational Structure

(1) The commission is not subject to Joint Rule Four. The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) The commission shall be jointly staffed by the appropriations committees of both houses. The Senate shall provide the lead staff when the chair of the commission is a member of the Senate. The House of Representatives shall provide the lead staff when the chair of the commission is a member of the House of Representatives.

6.3—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chair of the commission is a member of the Senate or with the Clerk of the House when the chair of the commission is a member of the House of Representatives. The Secretary of the Senate or the Clerk of the House shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

6.4—Effect of Adoption; Intent

This Joint Rule Six replaces all prior joint rules governing the Joint Legislative Budget Commission and is intended to implement constitutional provisions relating to the Joint Legislative Budget Commission existing as of the date of the rule's adoption.

—was introduced out of order and read by title.

On motion by Senator Thrasher, by two-thirds vote, **SCR 2-Org.** was read the second time in full, adopted and certified to the House.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 2-Org.

Robert L. "Bob" Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

ENROLLING REPORTS

SCR 2-Org. has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on November 20, 2012.

Debbie Brown, Secretary

ADJOURNMENT

On motion by Senator Margolis, the Senate in Organization Session adjourned sine die at 11:51 a.m.

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Journal
of the
S E N A T E
State of Florida



FORTY-FIFTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
MARCH 5 THROUGH MAY 3, 2013

MEMBERS OF THE SENATE

(26 Republicans, 14 Democrats)

REGULAR SESSION

March 5 through May 3, 2013

- District 1: Don Gaetz (R), Niceville**
Bay, Holmes, Jackson, Walton, Washington and part of Okaloosa
- District 2: Greg Evers (R), Baker**
Escambia, Santa Rosa and part of Okaloosa
- District 3: Bill Montford (D), Tallahassee**
Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla
- District 4: Aaron Bean (R), Fernandina Beach**
Nassau and part of Duval
- District 5: Charles S. "Charlie" Dean, Sr. (R), Inverness**
Baker, Citrus, Columbia, Dixie, Gilchrist, Lafayette, Levy, Suwannee, Union and part of Marion
- District 6: John Thrasher (R), St. Augustine**
Flagler, Putnam, St. Johns and part of Volusia
- District 7: Rob Bradley (R), Fleming Island**
Alachua, Bradford and Clay
- District 8: Dorothy L. Hukill (R), Port Orange**
Parts of Lake, Marion and Volusia
- District 9: Audrey Gibson (D), Jacksonville**
Part of Duval
- District 10: David Simmons (R), Altamonte Springs**
Seminole and part of Volusia
- District 11: Alan Hays (R), Umatilla**
Parts of Lake, Marion, Orange and Sumter
- District 12: Geraldine F. "Geri" Thompson (D), Orlando**
Part of Orange
- District 13: Andy Gardiner (R), Orlando**
Parts of Brevard and Orange
- District 14: Darren Soto (D), Orlando**
Parts of Orange, Osceola and Polk
- District 15: Kelli Stargel (R), Lakeland**
Parts of Orange, Osceola and Polk
- District 16: Thad Altman (R), Rockledge**
parts of Brevard and Indian River
- District 17: John Legg (R), Trinity**
Parts of Hillsborough and Pasco
- District 18: Wilton Simpson (R), Trilby**
Hernando and parts of Pasco and Sumter
- District 19: Arthenia L. Joyner (D), Tampa**
Parts of Hillsborough, Manatee and Pinellas
- District 20: Jack Latvala (R), Clearwater**
Parts of Pinellas
- District 21: Denise Grimsley (R), Sebring**
Okeechobee and parts of Highlands, Martin, Osceola, Polk and St. Lucie
- District 22: Jeff Brandes (R), St. Petersburg**
Parts of Hillsborough and Pinellas
- District 23: Garrett Richter (R), Naples**
Parts of Collier and Lee
- District 24: Tom Lee (R), Brandon**
Parts of Hillsborough
- District 25: Joseph Abruzzo (D), Wellington**
Parts of Palm Beach
- District 26: Bill Galvano (R), Bradenton**
DeSoto, Glades, Hardee and parts of Charlotte, Highlands, Hillsborough and Manatee
- District 27: Jeff Clemens (D), Lake Worth**
Parts of Palm Beach
- District 28: Nancy C. Detert (R), Venice**
Sarasota and part of Charlotte
- District 29: Jeremy Ring (D), Margate**
Part of Broward
- District 30: Lizbeth Benacquisto (R), Ft. Myers**
Parts of Charlotte and Lee
- District 31: Christopher L. Smith (D), Fort Lauderdale**
Part of Broward
- District 32: Joe Negron (R), Stuart**
Parts of Indian River, Martin, Palm Beach and St. Lucie
- District 33: Eleanor Sobel (D), Hollywood**
Part of Broward
- District 34: Maria Lorts Sachs (D), Delray Beach**
Parts of Broward and Palm Beach
- District 35: Gwen Margolis (D), Coconut Grove**
Part of Miami-Dade
- District 36: Oscar Braynon II (D), Miami Gardens**
Parts of Broward and Miami-Dade
- District 37: Anitere Flores (R), Miami**
Part of Miami-Dade
- District 38: Rene Garcia (R), Hialeah**
Part of Miami-Dade
- District 39: Dwight Bullard (D), Miami**
Hendry, Monroe and parts of Collier and Miami-Dade
- District 40: Miguel Diaz de la Portilla (R), Coral Gables**
Part of Miami-Dade

Entire membership elected General Election, November 6, 2012
Districts with even numbers for a 2-year term
Districts with odd numbers for a 4-year term

OFFICERS OF THE SENATE

Don Gaetz, *President*
Garrett Richter, *President Pro Tempore*
Lizbeth Benacquisto, *Majority (Republican) Leader*
Christopher L. Smith, *Minority (Democratic) Leader*

Non-member Elected Officer

Debbie Brown, *Secretary of the Senate*



Journal of the Senate

Number 1—Regular Session

Tuesday, March 5, 2013

Beginning the Forty-fifth Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 115th Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 5th of March, A.D., 2013, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

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CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

PRAYER

The following prayer was offered by Bishop A.J. Richardson, A.M.E., 11th Episcopal District, comprising the State of Florida and the Commonwealth of the Bahamas:

Awesome God, known to us by many names under many creeds, yet we acknowledge that you are creator of the universe—in all of its vastness, as far as the limitations of our finitude will allow us to imagine—and yet here and now among us on the opening day of the Florida Legislature and in the Senate Chamber. Some of us sense your presence even now—with thoughts of taking off our shoes—knowing that when we leave you out, we leave out too much.

We are grateful for the good fortune to be citizens of a great nation, living and serving in Florida in the richness of its diversity. We value it as a thing to be celebrated.

So, too, we pause to celebrate and reflect upon the sainted memory of Araminta Harriet Ross Tubman. We are grateful that this Senate would honor her memory and her heroic contributions to our beloved state and nation—at great personal sacrifice and not without enormous and deadly opposition. While we reflect upon her dying 100 years ago, it is her exemplary life that continues to inspire us: to act with courage, to serve with humility, and to report for duty with uncommon valor. A century is too short a time to stamp out the memory of a remarkable life. We are grateful for her brilliant example of womanhood and her extraordinary example of a selfless human being who breathed her last breath with her dignity intact.

Holy God, we invoke your presence in this sacred space of representative government that the common good may be sought and that those elected to serve here will aspire to excellence with holiness as the only real standard with the outcomes revealing honor, integrity, and a spirit of good will to all and malice towards none.

Bless our leaders, our nation, and our state as we also pray for the least, the last, and the lost among our neighbors—often existing without an advocate, but citizens all, and still your children. May your name be glorified in all that is achieved here in these days of vigorous deliberations. May your great Shalom be the order of the day.

It is in your revered and awesome name that we pray. Amen.

PLEDGE

Senator Brandes, from the 22nd District, and Senator Abruzzo, from the 25th District, led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Brandes served in the U.S. Army Reserves as a Transportation Officer from 1996-2007, including service in Iraq from 2003-2004.

Senator Abruzzo currently serves in the U.S. Coast Guard Reserves as a Port Security Specialist. He has served since 2005.

DOCTOR OF THE DAY

The President recognized Dr. Stuart A. Sobel of Hollywood, husband of Senator Eleanor Sobel, as doctor of the day. Dr. Sobel specializes in Dermatology.

SPECIAL RECOGNITION

The Senate recognized the service of former Senator Ken Plante to the people of the State of Florida. On motion by Senator Margolis, the members' conference room in the President's office in 409 The Capitol will from this moment forward be known as the Senator Ken Plante Conference Room in tribute to this great Floridian and this great Senator.

SPECIAL GUESTS

President Gaetz introduced the following guests: Governor Rick Scott; Lieutenant Governor Jennifer Carroll, former Representative; Commissioner of Agriculture Adam Putnam, former Congressman; Chief Financial Officer Jeff Atwater, former Senate President; and Attorney General Pam Bondi.

President Gaetz recognized the following Supreme Court Justices: Chief Justice Ricky Polston, Justice Charles Canady, Justice Jorge Labarga, and Justice Barbara Pariente.

President Gaetz announced that in addition to former Senate Presidents Gwen Margolis and Tom Lee, who still serve in the Senate, the Senate was honored by the presence of the following former Senate Presidents: Ken Pruitt, Jim Scott, and John Vogt. President Gaetz also announced the presence of former Senators Steve Geller, former Democratic Leader; John Grant; Ron Silver; Gary Siplin; Victor Crist, Hillsborough County Commissioner; Van Poole, former Florida Republican Party Chair; Larcenia Bullard; and Dave Aronberg, Palm Beach County State Attorney.

President Gaetz introduced his wife, the first lady of the Florida Senate, Vicky Gaetz, and welcomed all the other Senate spouses and family members who were present in the chamber.

COMMITTEE APPOINTED

On motion by Senator Thrasher that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senator Legg, Chair; and Senators Bean, Hukill, Soto, Brandes, Abruzzo, and Bullard. The committee was excused.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representative Ray, Chair; and Representatives Mayfield, McBurney, Roberson, Rogers, Taylor, Clarke-Reed, and Stafford was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

REPORTS OF COMMITTEES

The Honorable Don Gaetz
President of the Senate

February 20, 2013

Dear President Gaetz:

The Committee on Rules met on February 19, 2013, and after due consideration respectfully recommends a revision to Rule 2.1(1)(p) as follows:

(p) Military and Veterans Affairs, Space, and Domestic Security

The change and vote sheet are attached hereto and by reference made a part of this report.

Respectfully submitted,
John Thrasher, Chair

On motion by Senator Thrasher, the report was read and adopted by two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 8003 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Schenck—

HCR 8003—A concurrent resolution providing that the House of Representatives and the Senate convene in Joint Session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator Thrasher, by two-thirds vote HCR 8003 was read the second time by title, unanimously adopted and immediately certified to the House.

COMMITTEE DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

RECESS

On motion by Senator Thrasher, the Senate recessed at 10:55 a.m. to reconvene at 2:00 p.m. or upon call of the President.

(See remainder of Senate business following the joint session.)

JOINT SESSION

Pursuant to **HCR 8003**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Will Weatherford, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Cabinet, and Justices of the Supreme Court were received and seated.

The Speaker invited President Gaetz, President of the Senate, to the rostrum, and requested that the President preside over the joint session.

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

Representative Larry Lee delivered the prayer.

Senate President Pro Tempore Garrett Richter and House Speaker Pro Tempore Marti Coley led the pledge of allegiance to the flag of the United States of America.

On motion by Representative Gaetz that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senator Stargel, Co-chair; Senators Bradley, Thompson, Simpson, and Clemens; and on behalf of the Speaker, appointed Representative Crisafulli, Co-chair; Representatives Corcoran, Oliva, Rouson, Mia Jones, and Williams. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, The Honorable Rick Scott, Governor, who was escorted to the rostrum.

SPECIAL GUESTS

The President recognized the following guests: First Lady of the Senate, Vicky Gaetz; First Lady of the House of Representatives, Courtney Weatherford; and spouses of the House and Senate members.

The President presented the Governor to the joint assembly.

ADDRESS BY GOVERNOR RICK SCOTT

Thank you so much for being here today. I especially want to thank President of the Senate, Don Gaetz, and Speaker of the House, Will Weatherford. These are men of faith devoted to helping Florida families. Like everyone in this chamber, they are committed to helping our state and investing in future generations. They are my partners. They are my friends, and they are dedicated public servants.

Lieutenant Governor Jennifer Carroll, thank you for your work on behalf of our state. Thank you also to Supreme Court Chief Justice Ricky Polston and members of the Court. Attorney General Pam Bondi, Chief Financial Officer Jeff Atwater, and Commissioner of Agriculture Adam Putnam, thank you for your service. Thank you, senators and representatives, for your focus on Florida families.

I want to thank the love of my life and beautiful wife of 40 years, Ann, for being here. My daughters, Allison and Jordan, and my son-in-law, Jeremy, are also here. I am proud to say that both of our daughters are expecting new additions to our family. My little grandson, Auguste, is about to be a big brother. I love being a grandpa.

This is now the third time I have addressed you to report on the state of the great State of Florida. After two years of hard work, this update can be summed up in two words: It's working. Two years ago, we met together facing crippling debt, record-high unemployment, and a downward spiral of job losses.

Today, because of the tireless work of the men and women in this room, our businesses are creating hundreds of thousands of jobs, our unemployment rate is nearly down to the national average, and we aren't stopping there. It's working.

Two years ago, we knew we had been called here to make the difficult choices to help Florida families get back to work. Together we faced these challenges head on. We cut taxes, we eliminated thousands of regulations on job creators, we paid down state debt for two years in a row, and we invested in priorities like education. Now our economy is on the rebound. It's working.

Because we made the hard choices over the last two years, we are able to make the smart choices to keep our economy growing this year. We have a projected budget surplus for the first time in six years. Our challenges are different in this budget, but our goal is absolutely the same. That goal is economic growth and job creation.

This year, we have two priorities to keep our economy growing: first—remove the sales tax on manufacturing equipment, and second—invest in our teachers by providing them a well-deserved pay raise.

Our Florida Families First budget supports these priorities while maintaining substantial reserves. This is responsible stewardship of taxpayer money. Washington, D.C., could learn a few budget lessons from Florida. The contrast between our state and the nation's capital is remarkable. Now is not the time to turn back to the legacy of taxing and borrowing that crippled the economy we inherited two years ago. We must stay the course for economic growth and job creation.

When I ran for Governor, it was the first time I ever ran for any elected office. I spent a career in business, not politics. From my experience, I knew that our primary job was to move Florida's economy out of the red and into the black. We needed to cut spending, pay down debt, and support job creators. What we needed to do then was simple and in many ways remains the same today. Why we need to do it is more clear and personal to me now more than ever.

As many of you know, Ann and I both lost parents in the last year. My mom, Esther, was one of the only constants in my life. Even after I moved away from home and joined the Navy, we communicated every week. We would write letters and talk on the phone if we could, but we never let a week go by without being in touch. I am grateful for the lessons I learned from my parents' sacrifices. They often had trouble making ends meet, so we moved for them to find work. I remember my

mom would sometimes take on second jobs, like ironing, just so we could buy groceries.

In spite of my mom's own struggles, including getting a divorce from my birth father at a young age and almost giving me up for adoption after I was born, my mom was an incredible optimist. She was an encourager. She told us to dream big.

My mom never went to college, but for her own children, getting a great education was not an option. Our education was so important to my mom, she didn't just talk about it; she showed up. Mom somehow made it to every one of my graduations even when it meant she had to travel far away. I don't know how she found the money, but she came to freezing Chicago for my boot camp graduation and Dallas for law school graduation.

My mom, the wife of a World War II veteran, had a simple formula for raising kids. We had to go to church a lot, do well in school, and get a job. She taught us that, in America, hard work plus sacrifice means you could make your dreams come true.

The longer I live, the more I am convinced that my mom was right, not just for our family, but for every family. Why are we so focused on creating jobs and improving education? Why do we focus on putting Florida families first in our budget? Because every Florida family wants not just to dream, but to have the opportunity to make those dreams come true.

Like my mom's formula, our formula this session is simple. We must invest in our education system, support our teachers, and cut taxes to help create more jobs.

EDUCATION INVESTMENT

Our work to cut spending and live within our means over the last two years has allowed us to once again invest in education. The workers of tomorrow are in Florida classrooms today. When I first stood before you in 2011, I said, "The single most important factor in student learning is the quality of teaching." Since that time, we eliminated teacher tenure and we signed performance pay into law, which will take effect in 2014.

Florida's education system is making tremendous progress due in large part to our great teachers and the work begun by Governor Bush and many in this legislature. Our students and teachers were recently ranked sixth for educational quality, and our fourth-graders scored among the highest in the world on a recent reading evaluation. Accountability is working. The best way we can build on this progress is to reward our hard-working teachers with a \$2,500 pay raise.

Some say they are afraid that giving raises to all teachers may mean that a teacher doing a bad job gets rewarded. But, thanks to our work, we are now in a better position than ever before to reward good teachers and move bad teachers out of the classroom. We don't want a war on teachers; we want a war on failure. An investment in Florida teachers is an investment in Florida's future. Teachers change lives.

Greco Middle School teacher, Elizabeth Heli, is here today from Tampa. Will you please stand? Elizabeth began her career as an engineer, but decided she wanted to share her passion for science by teaching it. Please join me in a round of applause to honor her service. Orange County School District Superintendent Barbara Jenkins is also here. Barbara will you please stand so we can honor your commitment to the teachers in your district and your dedication to student achievement? Thank you, Elizabeth and Barbara, for the work you do to help make dreams come true for the next generation of Floridians.

I want to ask all of you to stop and think of your favorite teacher. Like me, you all are probably here today thanks to a great teacher who believed in you. Will you please stand now in honor of that great teacher? Please join me in a round of applause to honor the teachers represented here and every teacher across our state.

In total, our budget increases K-12 education funding by more than \$1.2 billion. This billion-dollar commitment builds on our billion-dollar investment in K-12 education last year. Our total education investment of \$10.7 billion in state funding for K-12 schools this year is the highest state funding level in Florida history. This represents an increase of more than \$400 in per student funding over the current fiscal year. I am

asking for your help to make this historic commitment to education funding a reality for Florida families.

JOB CREATION

Getting a great education helps dreams come true, and those dreams are almost always jobs. That is why our formula for success focuses on education and jobs.

Two years ago, Florida was losing jobs and many families were losing their dreams. In the four years before I took office, Florida lost more than 825,000 jobs. Unemployment more than tripled from 3.5% to 11.1% over those four years. State debt increased over those four years by \$5.2 billion. Our housing market had collapsed. Our economy was off track, and our families were hurting. The shortsighted policies of borrowing on our future had led to disaster. Together, we fought to cut spending, cut taxes, and pay down debt.

Our unemployment rate has now dropped by more than 3 percentage points from two years ago—the second biggest drop in the country. We are now at 7.9 percent unemployment—a 4-year low, and we aren't stopping there. We have cut state debt by \$2 billion. Housing starts are up again, and consumer confidence is rebounding. Our economy has created around 200,000 new private sector jobs in the last two years, meaning that thousands of Florida families now have the opportunity to pursue their dreams. It's working.

We came into office saying we wanted to create an environment that would encourage businesses to add 700,000 jobs over 7 years. When I took office two years ago, the debate was about whether or not this goal was even possible. Now, there is a debate about how to count all the jobs being created, and who should get credit for it. Maybe it is because I am not a politician, but I think this is a great debate to have. It celebrates the fact that our economy is once again creating jobs. And, as Ronald Reagan said, there is no limit to what you can accomplish if you don't care about who gets the credit.

ELIMINATE MANUFACTURING TAX

As long as even one Florida family needs a job, our work is not done. That is why we are committed to removing the sales tax on manufacturing equipment. Florida is one of only a few states with this tax, and we lag behind the nation in per capita manufacturing jobs. We need to level the playing field to compete for manufacturing jobs.

Some great Florida manufacturing leaders are here with us today. We are honored to have Wes Bush, Chairman and CEO of Northrop Grumman, here. Less than 24 hours ago, his company made a major announcement that they will be adding more than 1,000 new jobs in Florida. Thank you for your great confidence in our state and our workers.

President of Johnson & Johnson Vision Care, Dave Brown, is also here from Jacksonville, and Goya Foods President Frank Unanue is here from Miami. Manufacturing has a major impact on our economy. Every manufacturing job supports two to three other jobs in our state. Companies like Northrop Grumman, Johnson & Johnson, and Goya show how manufacturing businesses, combined with Florida's great location and 15 seaports, mean more jobs.

Bill Johnson, Director of the Port of Miami and Chairman of the Florida Ports Council, is also here. When the Miami port dredge project is completed, along with the Panama Canal expansion, thousands of new jobs will be created. Wes, Dave, Frank, and Bill, will you all please stand? Please join me in honoring these great leaders in job creation here today and all the manufacturing leaders and port directors in Florida.

Not having a job is devastating to a family. I remember when my parents couldn't find work. I remember when my dad had his car repossessed. The most important thing to a family is having a job. Everything we have done together over the last two years has been geared toward job creation and I want to stress again, it's working.

This year, we are also proposing that we continue to roll back the business tax by exempting 2,000 more small businesses from having to pay it. If we are successful this year, we will have removed the business tax from 70 percent of businesses since taking office. I am committed to

getting rid of this tax entirely. That means more jobs for Florida families.

FORMULA FOR FLORIDA FAMILY SUCCESS

Thanks to the hard choices we have made over the last two years, we can afford to cut taxes and also invest in critical areas that have gone without increased funding for several years. Our budget increases operating funds for Florida state colleges by more than \$70 million and increases funding for Florida universities by more than \$390 million. Much of this increase will be tied to performance measures to ensure schools are preparing students to get a job. I want to especially thank University of Florida President Bernie Machen for being so helpful in coming up with performance measurements for success. Dr. Machen worked with his colleagues across the university system to form measurements and continue to make Florida's universities the best in the country. Dr. Machen, please stand so we can thank you and all of our university leaders.

I also want to thank Randy Hanna, Chancellor of Florida State Colleges, for working to make college more affordable. Thank you for your role in enlisting all 23 state colleges offering four-year degree programs in our \$10,000 Degree Challenge to graduate students in high-demand job fields at a low cost. Please join me in thanking Randy and all state college leaders for stepping up to the plate on the \$10,000 Degree Challenge.

For the first time in eight years, our budget also increases funding for persons with disabilities by \$36 million to help more disabled people receive community-based services and \$2.5 million for job training. Betty Kay Clements is here today. She is an advocate for persons with disabilities in the Orlando area. I was honored to meet Betty recently and hear her story about her daughter, Laura Lynne, who has overcome many obstacles with her disability to get a job at Target. Betty Kay, please stand so we can thank you for sharing your victory.

Our Florida Families First budget also invests \$1.5 million to provide safe houses for victims of human trafficking. Ann and I had the privilege of meeting Allison Good in Miami last month. Allison was first trafficked when she was only five years old. She eventually came to Florida where she continued to be a victim of trafficking into her early 20s. Today, Allison is a warrior in the battle to end this horrific crime. Allison could not be here today, but we are grateful for the God-given bravery she has to share her story and give a voice to the millions of victims who suffer in silence. Please join me in a round of applause to thank Allison and all of those working to raise awareness against this evil and stop this crime from claiming even *one* more victim.

We have some other heroes here today. Annette Kirk, will you please stand in honor of your son, Private First Class Paul Cuzzupe? Paul lost his life while fighting for our freedom in Afghanistan. Annette, it was an honor to meet your family in Tampa and to hear about Paul's bravery in combat. Please join me in thanking Annette and every military family for their sacrifice and their service.

To our troops, our firefighters, and police officers—you are the true definition of heroism. St. Lucie County Sheriff's Officer Gary Morales, whose life was taken tragically just last week, was a profile of courage. We are forever grateful to Sergeant Morales and all of our first responders who live for something larger than self. Thank you.

I also want to recognize Representative Cary Pigman from Highlands County who will be deploying to Kuwait with the U.S. Army Reserve right after session ends. Representative Pigman, please stand so we can thank you for your service not only to our state, but to our country.

CONCLUSION: IT'S WORKING

Two years ago, we began the hard work to get our state's economy back on track. Today, we know it's working. We could have chosen a different course. We could have continued to drive up taxes and borrowed to increase spending. That would have been the easy way out. California raised their top income tax rate to 13.3 percent—the highest in the nation. But, it isn't working in California. People are leaving that state, and it has the second highest unemployment rate in the country.

More taxes and more spending aren't working in New York either. More than 3.4 million New Yorkers fled for other states from 2000 to

2009. Florida was their number-one destination. Taxing and spending aren't working in Illinois either. After raising its personal income tax rate by nearly 70 percent in 2011, it is still running one of the worst budget deficits in the country.

Here in Florida, our work to reduce spending and cut taxes, along with making critical investments in priorities, like education, is working. Top CEOs now rank Florida the second best state in the nation for business. The National Chamber Foundation said Florida has the number one talent pipeline.

Just recently, we made a major announcement with Verizon in the Orlando area which will result in a new facility and hundreds of jobs. Michelle Robinson, Verizon's Region President, is here today. Michelle, will you please stand? Thank you for investing in Florida and helping to create more opportunities for Florida families.

We didn't win every battle over the last two years. After a long fight, we lost in the Supreme Court over the President's healthcare law and we lost a presidential election along with the promise of the law's full repeal.

Now, our options are either having Floridians pay to fund this program in other states while denying healthcare to our citizens or using federal funding to help some of the poorest in our state with the Medicaid program as we explore other healthcare improvements. As I wrestled with this decision, I thought about my mom and her struggles to get my little brother the care he needed with very little money.

I concluded that for the three years the federal government is committed to paying 100 percent of the cost of new people in Medicaid, I cannot, in good conscience, deny the uninsured access to care. Of course, the best way for any family to access great healthcare is to have a great job. Like my mom, I am an optimist. I believe in big dreams.

I believe Florida will be the number one place in the world for job creation, the number one place in the world to get a great education, and the number one place in the world where families can afford to live. I believe that as we all continue to work together, Florida's job growth will outpace the nation and our unemployment rate will drop below the national average.

I hope Texas Governor Rick Perry is listening. As Governor Perry found out when he came here to go fishing and came in second place, Florida won't stop until we are number one. Florida will soon unseat Texas as the top job creator in the nation, and we plan to beat them in how we brag about our state also.

The hard work done over the last two years has set us up with a simple formula for success this year. We must remove the sales tax on manufacturers and invest in future generations of Floridians by investing in Florida teachers.

President Gaetz, Speaker Weatherford, Senators, and Representatives: I look forward to joining with all of you as we put Florida families first and send a message to the world that Florida is serious about job creation. It's working. Thank you.

DISSOLUTION OF JOINT SESSION

Following the Governor's address, the previously appointed committee escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet, and Justices of the Supreme Court.

On motion by Senator Thrasher, the joint session was dissolved at 12:08 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

AFTERNOON SESSION

The Senate was called to order by President Gaetz at 2:00 p.m. A quorum present—40:

Mr. President	Benacquisto	Bullard
Abruzzo	Bradley	Clemens
Altman	Brandes	Dean
Bean	Braynon	Detert

Diaz de la Portilla	Joyner	Simmons
Evers	Latvala	Simpson
Flores	Lee	Smith
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gardiner	Montford	Stargel
Gibson	Negron	Thompson
Grimsley	Richter	Thrasher
Hays	Ring	
Hukill	Sachs	

ADOPTION OF RESOLUTIONS

On motion by Senator Thompson—

By Senators Thompson, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Hukill, Joyner, Latvala, Lee, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, and Thrasher

SR 430—A resolution remembering the selfless sacrifice of Harriet Ross Tubman in Florida and beyond on the 100th anniversary of her passing.

WHEREAS, Harriet Ross Tubman was born into slavery in Bucktown, Maryland, in or about the year 1820, and

WHEREAS, in 1849, Harriet Ross Tubman escaped slavery and, as a "conductor" on the Underground Railroad, made as many as 19 harrowing trips involving great personal hardship and grave danger to lead hundreds of slaves to freedom, and

WHEREAS, Harriet Ross Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery, and

WHEREAS, Harriet Ross Tubman served in the Civil War as a soldier, spy, nurse, scout, and cook, including honorable service in Fernandina Beach sometime between 1863 and 1865, where she was recognized for her ability to cure illnesses using native herbs, and

WHEREAS, after the Civil War, Harriet Ross Tubman continued to fight for human dignity, human rights, opportunity, and justice for all Americans, and

WHEREAS, Harriet Ross Tubman died in old age on Monday, March 10, 1913, at her home in Auburn, New York, of pneumonia, leaving behind one of her most treasured possessions, a small medal given to her by Queen Victoria in recognition of her heroism, NOW, THEREFORE,

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

That, on this, the 100th anniversary of her passing, we recognize the extraordinary life of Harriet Ross Tubman and celebrate her work and sacrifice in this state.

—was introduced out of order and read the second time in full. On motion by Senator Thompson, **SR 430** was adopted.

On motion by Senator Sachs—

By Senators Sachs, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Hukill, Joyner, Latvala, Lee, Legg, Margolis, Montford, Negron, Richter, Ring, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher

SR 900—A resolution designating this state a Purple Heart State in honor of the service and sacrifices of our nation's men and women in uniform who have been wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

WHEREAS, General George Washington, as the leader of the Continental Army, first introduced the "Badge of Military Merit" in 1782,

instructing that it be awarded “not only in instances of unusual gallantry, but also of extraordinary fidelity and essential service in any way,” and

WHEREAS, General Washington described the badge as a figure of a heart in purple cloth, which eventually became known as the Purple Heart, and is the nation’s oldest military award, and

WHEREAS, the badge was not awarded for some years after the Revolutionary War, and was awarded only intermittently during the late 1920’s, on February 22, 1932, the 200th anniversary of George Washington’s birth, General Douglas MacArthur announced the re-establishment of the Purple Heart Medal, in memory and honor of George Washington’s military achievements, and

WHEREAS, veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm’s way for the good of all, and

WHEREAS, the contributions and sacrifices of the men and women from this state who have served and are serving in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by its residents, and

WHEREAS, many men and women in uniform have given their lives while serving in the Armed Forces, and

WHEREAS, many residents of this state have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, which is recognized as a singularly meritorious act of essential service, and

WHEREAS, the people of this state have a great admiration and the utmost gratitude for the sacrifices made by the men and women who have selflessly served their country and this state in the Armed Forces, and

WHEREAS, it is a privilege to honor those whose service and sacrifice was recognized with the award of a Purple Heart Medal, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida: That the Florida Senate proclaims this state a Purple Heart State, honoring the service and sacrifices of our nation’s men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Department of Veterans Affairs as a tangible token of the sentiments expressed in this resolution.

—was introduced out of order and read the second time in full. On motion by Senator Sachs, **SR 900** was adopted.

SPECIAL ORDER CALENDAR

MOTION

On motion by Senator Thrasher, the rules were waived and all bills on the Special Order Calendar were read the first, second, and third time and immediately certified to the House.

On motion by Senator Latvala, by two-thirds vote—

CS for SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising definitions; creating s. 112.3125, F.S.; defining the term “public officer”; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; specifying applicability of amendments made by the act; creating s. 112.3142, F.S.;

defining the term “constitutional officers”; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for “principal” and “special gain or loss”; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for “electronic filing system”; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission’s proposal; amending s. 112.3145, F.S.; revising the definitions of “local officer” and “specified state employee”; revising procedures for the filing of a statement of financial interests with a candidate’s qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a

certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; correcting a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

—was read the second time by title.

Senators Latvala and Thrasher offered the following amendment which was moved by Senator Latvala and adopted:

Amendment 1 (355398) (with title amendment)—Delete lines 412-415.

And the title is amended as follows:

Delete lines 18 and 19 and insert: statement; creating s. 112.3142, F.S.; defining the

Senator Latvala moved the following amendment which was adopted:

Amendment 2 (675632)—Delete lines 622-624 and insert: *officer shall forward an electronic copy of the full and public disclosure of financial interests to the commission no later than July 1. The electronic*

Senator Joyner moved the following amendments which were adopted:

Amendment 3 (350372) (with title amendment)—Delete lines 675-690 and insert: *to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual required to file is not a violation of this section.*

(b) An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from

And the title is amended as follows:

Delete lines 71-85 and insert: disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public

Amendment 4 (933218)—Delete lines 721-723 and insert:

(e) Provide a method for an attorney or certified public accountant licensed in this state to sign the disclosure form to indicate that he or she prepared the form in accordance with s. 112.3144

Amendment 5 (665866) (with title amendment)—Delete lines 947-963 and insert: *pursuant to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual who is required to file the disclosure does not constitute a violation of this section.*

(b) An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from

And the title is amended as follows:

Delete lines 114-128 and insert: disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing in-

dividual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public

Soto Thompson
Stargel Thrasher

Nays—None

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Ethics and Elections; and Senators Latvala, Gardiner, Thrasher, Legg, Lee, Benacquisto, Flores, and Diaz de la Portilla—

SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising the definition of “gift” to exclude specified expenditures of a political committee or committee of continuous existence; creating s. 112.3125, F.S.; defining the term “public officer”; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions; providing exceptions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; creating s. 112.3142, F.S.; defining the term “constitutional officers”; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for “principal” and “special gain or loss”; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; authorizing the commission or the Department of Financial Services to collect an unpaid fine within a specified period of the initial report of the automatic fine; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to attest to the veracity of the disclosure; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the filing individual is not in violation of the section if a certified public accountant was in custody of such information but failed to disclose it on the statement; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for “electronic filing system”; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a

Senator Latvala moved the following amendment which was adopted:

Amendment 6 (928480)—In title, delete line 47 and insert: private gain or loss”; requiring state public officers to

On motions by Senator Latvala, by two-thirds vote CS for SB 2 as amended was read the third time by title, passed, ordered engrossed and immediately certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Name, Name, Name. Lists names of senators voting in favor of the amendment.

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of CS for SB 2.

On motion by Senator Latvala, by two-thirds vote—

CS for SB 4—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; creating an exemption from public records requirements for written referrals and related records held by the Commission on Ethics, the Governor, the Department of Law Enforcement, or a state attorney; creating an exemption for records relating to a preliminary investigation held by the Commission on Ethics; creating an exemption from public meetings requirements for portions of proceedings of the Commission on Ethics in which the referrals are discussed or acted upon; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote CS for SB 4 was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and immediately certified to the House. The vote on passage was:

Yeas—40

Table with 3 columns: Name, Name, Name. Lists names of senators voting in favor of the amendment.

searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission's proposal; amending s. 112.3145, F.S.; revising the definitions of "local officer" and "specified state employee"; requiring the qualifying officer to electronically transmit a statement of financial interests of a qualified candidate to the commission; requiring a person filing a statement of financial interest to indicate the method of reporting income; authorizing the commission or the Department of Financial Services to collect an unpaid fine within a specified period of the initial report of the automatic fine; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to attest to the veracity of the disclosure; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the filing individual is not in violation of the section if a certified public accountant was in custody of such information but failed to disclose it on the statement; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to determine whether an individual owing certain fines is a current public officer or public employee or is currently receiving public contract payments; requiring the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding 10 percent of any payment from public moneys that would otherwise be paid to the current public officer, public employee, or individual currently receiving public contract payments; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a percentage of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees or who are no longer receiving public contract payments; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; reenacting s. 112.317(1)-(5), F.S., relating to civil penalties, to incorporate the amendments made to s. 112.3143, F.S., and the creation of s. 112.31485, F.S., in a reference thereto; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the

commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; reenacting s. 288.901(1)(c), F.S., relating to Enterprise Florida, Inc., to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; and Rules.

By the Committee on Ethics and Elections—

SB 4—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; creating an exemption from public records requirements for written referrals and related records held by the Commission on Ethics, the Governor, the Department of Law Enforcement, or state attorneys; creating an exemption for records relating to a preliminary investigation held by the Commission on Ethics; creating an exemption from public meetings requirements for proceedings of the Commission on Ethics in which the referrals are discussed or acted upon; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing an exception; prohibiting the disclosure of the intent to file or the filing of a referral against a candidate on the day of an election or within a specified time period immediately preceding such election; providing an exception; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

Senate Bills 6-10—Not used.

By Senator Montford—

SB 12—A bill to be entitled An act for the relief of Mark T. Sawicki and his wife, Sharon L. Sawicki, individually, by the City of Tallahassee; providing for an appropriation to compensate them for injuries sustained by Mark T. Sawicki as a result of the negligence of the City of Tallahassee; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Joyner—

SB 14—A bill to be entitled An act for the relief of Dennis Darling, Sr., and Wendy Smith, parents of Devaughn Darling, deceased; providing an appropriation from the General Revenue Fund to compensate the parents for the loss of their son, Devaughn Darling, whose death occurred while he was engaged in football preseason training on the Florida State University campus; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Education; Appropriations; and Rules.

By Senator Montford—

SB 16—A bill to be entitled An act for the relief of Jennifer Wohlge-muth by the Pasco County Sheriff's Office; providing for an appropriation to compensate Jennifer Wohlge-muth, whose injuries were due to the negligence of an employee of the Pasco County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Montford—

SB 18—A bill to be entitled An act for the relief of Yvonne Morton; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of an employee of the Department of Health; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Health Policy; Ap-proriations; and Rules.

By Senator Diaz de la Portilla—

SB 20—A bill to be entitled An act for the relief of Marcus Button by the Pasco County School Board; providing for an appropriation to com-pensate Marcus Button for injuries sustained as a result of the negli-gence of an employee of the Pasco County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Negron—

SB 22—A bill to be entitled An act for the relief of Carl Abbott by the Palm Beach County School Board; providing for an appropriation to compensate Carl Abbott for injuries sustained as a result of the negli-gence of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Ring—

SB 24—A bill to be entitled An act for the relief of L.T., a minor; providing an appropriation to compensate L.T., a minor, by and through Vicki McSwain, the Permanent Custodian for L.T., for injuries and da-mages sustained as a result of the negligence of employees of the De-partment of Children and Families, formerly known as the Department of Children and Family Services; providing a limitation of the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Appropriations; and Rules.

By Senator Altman—

SB 26—A bill to be entitled An act for the relief of the Estate of Dr. Sherrill Lynn Aversa; providing an appropriation to compensate the Estate of Dr. Sherrill Lynn Aversa for Dr. Aversa's death as result of the negligence of the Department of Transportation; requiring the Executive Office of the Governor to establish spending authority from un-appropriated trust fund balances of the department for compensation to the Estate of Dr. Sherrill Lynn Aversa; providing for attorney fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Transportation; Ap-proriations; and Rules.

By Senator Diaz de la Portilla—

SB 28—A bill to be entitled An act for the relief of Charles Pandrea by the North Broward Hospital District; providing for an appropriation to compensate Charles Pandrea, husband of Janet Pandrea, for the death of Janet Pandrea as a result of the negligence of the North Broward Hospital District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Flores—

SB 30—A bill to be entitled An act for the relief of Altavious Carter by the Palm Beach County School Board; providing for an appropriation to compensate Altavious Carter for injuries sustained as a result of the negligence of a bus driver of the Palm Beach County School District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Flores—

SB 32—A bill to be entitled An act for the relief of Melvin and Alma Colindres by the City of Miami; providing for an appropriation to com-pensate them for the wrongful death of their son, Kevin Colindres, sustained as a result of the negligence of police officers of the City of Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Diaz de la Portilla—

SB 34—A bill to be entitled An act for the relief of Thomas and Karen Brandi by the city of Haines City; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the city of Haines City; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

SB 36—Not introduced.

By Senator Flores—

SB 38—A bill to be entitled An act for the relief of Amie Draiemann Stephenson, individually and as Personal Representative of the Estate of Christian Darby Stephenson, deceased, and for the relief of Hailey Morgan Stephenson and Christian Darby Stephenson II, as surviving minor children of the decedent; providing an appropriation to com-pensate them for the wrongful death of Christian Darby Stephenson, which was due in part to the negligence of the Department of Transportation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Transportation; Appropriations; and Rules.

By Senator Braynon—

SB 40—A bill to be entitled An act for the relief of Javier Soria by Palm Beach County; providing for an appropriation to compensate Javier Soria for injuries sustained as a result of negligence by an employee of Palm Beach County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Braynon—

SB 42—A bill to be entitled An act for the relief of Ramiro Companioni by the City of Tampa; providing for an appropriation to compensate Ramiro Companioni for injuries sustained as a result of negligence by an employee of the City of Tampa; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

SB 44—Not introduced.

SB 46—Not used.

SB 48—Not introduced.

By Senators Negron and Evers—

SB 50—A bill to be entitled An act relating to public meetings; creating s. 286.0114, F.S.; requiring that a member of the public be given a reasonable opportunity to be heard before a board or commission takes official action on a proposition before a board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision; providing that the opportunity to be heard is subject to rules or policies adopted by the board or commission; specifying certain exceptions; providing requirements for rules or policies governing the opportunity to be heard; providing that compliance with the requirements of the act is presumed under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that any action taken by a board or commission which is found in violation of the act is not void; providing that circuit courts have jurisdiction to issue injunctions for purposes of the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations; and Rules.

By Senators Detert, Montford, Margolis, Richter, Latvala, and Abruzzo—

SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Judiciary.

By Senators Joyner, Margolis, Soto, Ring, Sachs, and Thompson—

SCR 54—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

—was referred to the Committees on Judiciary; Commerce and Tourism; and Rules.

By Senator Hays—

SB 56—A bill to be entitled An act relating to infant death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “sudden unexpected infant death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medicolegal investigation of sudden unexpected infant deaths; deleting references to the SIDS hotline and local SIDS alliances; providing an effective date.

—was referred to the Committees on Health Policy; and Children, Families, and Elder Affairs.

By Senators Hays and Evers—

SB 58—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term “foreign law, legal code, or system”; clarifying that the public policies expressed in the act apply to violations of a natural person’s fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person’s fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Children, Families, and Elder Affairs; and Rules.

By Senator Hays—

SB 60—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; providing for a fee; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senators Sachs and Margolis—

SB 64—A bill to be entitled An act relating to commercial parasailing; providing a short title; amending s. 327.02, F.S.; defining terms; creating s. 327.375, F.S.; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage requirements for the insurance policy; providing requirements for proof of insurance; specifying the insurance information that must be provided to each rider; prohibiting commercial parasailing unless certain conditions are met; providing for the launch from and recovery of riders to a towing vessel; authorizing up to three persons to be tethered to the towing vessel; prohibiting commercial parasailing in certain areas, during certain hours, and under certain weather conditions; requiring that a weather log be maintained and made available for inspection; requiring a safety briefing for passengers and parasail riders; providing a penalty; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; Transportation; and Environmental Preservation and Conservation.

By Senators Altman, Soto, Clemens, Benacquisto, Sobel, and Thompson—

SB 66—A bill to be entitled An act relating to child safety devices in motor vehicles; amending s. 316.613, F.S.; providing child restraint requirements for children age 7 years or younger who are less than a specified height; providing exceptions; redefining the term “motor vehicle” to exclude certain vehicles from such requirements; providing a grace period; requiring that a law enforcement officer issue a warning and give educational literature to an operator of a motor vehicle during the grace period, under certain circumstances; providing effective dates.

—was referred to the Committees on Transportation; Children, Families, and Elder Affairs; Judiciary; and Appropriations.

SCR 68—Withdrawn prior to introduction.

By Senator Joyner—

SB 70—A bill to be entitled An act relating to employment discrimination; creating the Helen Gordon Davis Fair Pay Protection Act; making legislative findings relating to equal pay for equal work for women; recognizing the importance of the Department of Economic Opportunity and the Commission on Human Relations in ensuring fair pay; requiring the Department of Economic Opportunity to conduct studies and provide information to employers, labor organizations, and the public concerning the means available to eliminate pay disparities between men and women; creating the Governor’s Recognition Award for Pay Equity in the Workplace; requiring that the award be made annually to businesses in this state which have engaged in activities that eliminate the barriers to equal pay for equal work for women; requiring the executive director of the department and the chairperson of the commission to work cooperatively with the Executive Office of the Governor to create eligibility criteria for employers to receive the award; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Joyner—

SB 72—A bill to be entitled An act relating to employment discrimination against the unemployed; creating the “Fair Employment Opportunity Act”; setting forth the purpose of the act; defining terms; prohibiting an employer from refusing to consider for employment, or refusing to offer employment to, a person because the person is or was unemployed; prohibiting an employer from publishing in print, on the Internet, or in any other medium an advertisement or announcement for a job which states or indicates that an unemployed person is disqualified from consideration for the job; prohibiting an employer from directing or requesting an employment agency to take a person’s status as unemployed into account in screening or referring applicants for employment; prohibiting an employment agency from refusing to consider or refer a person for employment based on the person’s status as unemployed; prohibiting an employment agency from publishing in print, on the Internet, or in any other medium an advertisement or announcement for any job vacancy which states or indicates that an unemployed person is disqualified from consideration for the job; prohibiting an employment agency from limiting, segregating, or classifying a person in any manner that may limit the person’s access to information about jobs or referral for consideration for jobs because the person is or was unemployed; prohibiting an employer or employment agency from interfering with, restraining, or denying the exercise of, or the attempt to exercise, any right provided by the act or refusing to hire, discharging, or in any other manner discriminating against a person because the person engaged in certain specified lawful activities; providing an exception for a bona fide occupational qualification; authorizing the Attorney General to commence a civil action for damages, injunctive relief, civil penalties, and other appropriate relief if the Attorney General has reasonable cause to believe that an employer or employment agency has violated the act; authorizing the Attorney General to file an action in the circuit court in the county where the cause of action arises or in the Circuit Court for the Second Judicial Circuit in Leon County; providing procedures; providing that the prevailing party in such action is entitled to an award of reasonable attorney fees and costs; providing that damages recovered under the act accrue to the injured party; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Sachs—

SB 74—A bill to be entitled An act relating to the use of hand-held wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Communicating While Driving Law”; providing legislative intent; defining the term “hand-held wireless communications device”; prohibiting the operation of a motor vehicle while using a hand-held wireless communications device for certain purposes; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a hand-held wireless communications device within a school safety zone or unlawful use resulting in a crash; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Judiciary.

By Senator Flores—

SB 76—A bill to be entitled An act relating to workforce education programs; amending s. 1011.80, F.S.; authorizing a Florida College System institution or a school district to report a student as enrolled in an adult education program for purposes of funding if the student is enrolled in a K-12 education program and an adult education program; deleting an obsolete provision; authorizing a Florida College System institution or a school district to report a student for funding for up to two courses if the student is coenrolled in core program areas, rather than curricula courses, and meets certain additional criteria; requiring

that the Department of Education develop a list of courses to be designated as core courses for purposes of coenrollment; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Hays—

SM 78—A memorial to the Congress of the United States, urging Congress to repeal all taxes on income and enact a national retail sales tax as specified in H.R. 25, the Fair Tax Act of 2011.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Rules.

By Senator Joyner—

SB 80—A bill to be entitled An act relating to elections; amending s. 101.657, F.S.; expanding the list of available sites at which early voting may be held to include specified facilities or any other location designated by a supervisor of elections as meeting the requirements of state law; deleting a requirement that an early voting site be designated and used as such for at least 1 year before an election; requiring that each county operate a certain total number of voting sites; revising the beginning and ending dates of early voting; revising the hours of early voting to 12 hours per weekday and 12 hours in the aggregate each weekend at each site during the applicable periods; deleting provisions that authorize the supervisor of elections to provide early voting for certain elections and to determine the hours of operation of early voting sites in those elections; amending s. 101.045, F.S.; permitting an elector to change his or her residence at a polling place and vote a regular ballot at that polling place; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Senator Margolis—

SB 82—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; expanding the list of available sites at which early voting may be held to include specified facilities or any other location designated by a supervisor of elections as meeting the requirements of state law; deleting a requirement that an early voting site be designated and used as such for at least 1 year before an election; requiring that each county operate a certain total number of voting sites; revising the beginning and ending dates of early voting; requiring a specified number of preprinted ballots to be provided to each early voting site; revising the hours of early voting to 12 hours per weekday and 12 hours in the aggregate each weekend at each site during the applicable periods; deleting provisions that authorize the supervisor of elections to provide early voting for certain elections and to determine the hours of operation of early voting sites in those elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Senator Diaz de la Portilla—

SB 84—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties for private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Flores and Benacquisto—

SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term “school property”; providing an effective date.

—was referred to the Committees on Education; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Margolis—

SB 88—A bill to be entitled An act relating to mail order sales; amending s. 212.0596, F.S.; revising the term “mail order sale” to specifically include sales of tangible personal property ordered by Internet; deleting certain provisions that specify dealer activities or other circumstances that subject mail order sales to this state’s power to levy and collect the sales and use tax; providing that certain persons who make mail order sales and who have a substantial nexus with this state are subject to this state’s power to levy and collect the sales and use tax if they engage in certain enumerated activities; specifying that a dealer is not required to collect and remit sales and use tax unless certain circumstances exist; creating a rebuttable presumption that a dealer is subject to the state’s power to levy and collect the sales or use tax under specified circumstances; specifying evidentiary proof that may be submitted to rebut the presumption; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senators Smith and Margolis—

SB 90—A bill to be entitled An act relating to state contracts; amending s. 287.058, F.S.; requiring all state contracts of more than a certain amount to require call-center services to be staffed by persons located within the United States; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Negrón, Brandes, and Evers—

SB 92—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing an exception; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Joyner—

SB 94—A bill to be entitled An act relating to disabled parking permits and license plates; amending s. 320.0843, F.S.; requiring the Department of Highway Safety and Motor Vehicles to automatically renew and issue a license plate stamped with the international wheelchair user symbol to persons who have certain disabilities; amending s. 320.0848, F.S.; requiring the Department of Highway Safety and Motor Vehicles to

automatically renew and issue a disabled parking permit to persons who have certain disabilities; amending s. 316.1955, F.S.; deleting a cross-reference to conform; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Flores—

SB 96—A bill to be entitled An act relating to Citizens Property Insurance Corporation rates; reordering and amending s. 627.351, F.S.; providing that any restrictions on annual rate increases apply to both new and renewal policies; deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Rules.

By Senators Richter, Abruzzo, and Soto—

SB 98—A bill to be entitled An act relating to the New Markets Development Program; amending s. 288.9914, F.S.; revising limits on tax credits that may be claimed by qualified community development entities under the program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Detert—

SB 100—A bill to be entitled An act relating to employment practices; prohibiting an employer from using a job applicant's credit report or credit history to make certain hiring, compensation, or other employment decisions; providing specific situations where an employer may use such information; providing definitions; providing exemptions for certain types of employers; providing remedies for aggrieved persons; providing for attorney fees and court costs; providing for a plaintiff to post a bond in certain situations; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Detert—

SB 102—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

By Senator Detert—

SB 104—A bill to be entitled An act relating to mobile home parks; amending s. 723.071, F.S.; requiring a mobile home park owner who receives a bona fide offer for purchase of the park to provide certain notice to the homeowners' association; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Detert—

SB 106—A bill to be entitled An act relating to mobile home park tenancies; amending s. 723.012, F.S.; requiring that additional information be provided in the prospectus or offering brochure which ad-

vises the customer of consequences if the land use is changed; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Detert—

SB 108—A bill to be entitled An act relating to child care facilities; amending s. 402.302, F.S.; revising a definition; amending s. 402.305, F.S.; requiring the Department of Children and Families to adopt rules to include specified requirements within minimum standards relating to a written plan for the daily provision of varied activities at a child care facility; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education; and Rules.

By Senator Flores—

SB 110—A bill to be entitled An act relating to involuntary examinations under the Baker Act; amending s. 394.463, F.S.; authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Judiciary.

By Senator Dean—

SB 112—A bill to be entitled An act relating to property fraud; creating s. 817.535, F.S.; prohibiting a person from filing or causing to be filed, with intent to defraud another, a document relating to the ownership, transfer, or encumbrance of or claim against real or personal property, or any interest in real or personal property, which the person knows contains a material misstatement, misrepresentation, or omission of fact; providing criminal penalties; providing that a person who fraudulently records a construction lien is subject to specified fraud provisions; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Rules.

By Senator Sachs—

SB 114—A bill to be entitled An act relating to elections; amending s. 104.271, F.S.; revising the provision concerning false or malicious statements about a candidate; prohibiting certain parties from making any statement or sponsoring political advertising or electioneering communications with actual malice; providing a penalty; defining the term “libel or defamation per se”; amending s. 106.143, F.S.; requiring a candidate to file an oath with his or her filing officer within a specified time after the original publication of a political advertisement; re-enacting s. 106.265(1), F.S., relating to civil penalties, to incorporate the amendments made to s. 104.271, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Margolis—

SB 116—A bill to be entitled An act relating to carbon monoxide alarms; amending s. 1013.03, F.S.; providing that it is a function of the Department of Education to require K-12 public school facilities to install carbon monoxide alarms; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senators Benacquisto and Evers—

SB 118—A bill to be entitled An act relating to funerals, burials, and memorial services; creating s. 871.015, F.S.; providing a definition; prohibiting picketing or engaging in other protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service for certain persons; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Military Affairs, Space, and Domestic Security; and Criminal Justice.

By Senator Latvala—

SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Rules.

By Senator Montford—

SB 122—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.031, F.S.; exempting from the sales tax certain separately stated charges imposed on a lessee or licensee of leased or licensed premises; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senators Ring and Clemens—

SB 124—A bill to be entitled An act relating to newborn screening for critical congenital heart disease; creating s. 383.146, F.S.; providing definitions; providing requirements for screening newborns for critical congenital heart disease; providing an exception; requiring that the physician, midwife, or other person attending the newborn maintain a record if the screening has not been performed and attach a written objection signed by the parent or guardian; requiring appropriate documentation of the screening completion in the medical record; requiring that each hospital and each licensed birth center designate a lead physician and a licensed health care provider, respectively, to provide programmatic oversight for the screening; requiring that the screening for critical congenital heart disease be conducted on all newborns in hospitals and birth centers in this state; authorizing the Department of Health to adopt rules to administer the screening program; providing powers and duties of the department; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 126—A bill to be entitled An act relating to mammogram reports; amending ss. 627.6418, 627.6613, and 641.31095, F.S.; requiring that mammography reports include a statement regarding breast density; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Rules.

By Senator Ring—

SB 128—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term “appropriate specialist”; amending ss. 627.6686 and 641.31098, F.S.; defining the term “direct patient access”; requiring that certain insurers and health maintenance organizations provide direct patient access to an appropriate specialist for screening for or evaluation or diagnosis of autism spectrum disorder; requiring that certain insurance policies and health maintenance organization contracts provide a minimum number of visits per year for screening for or evaluation or diagnosis of autism spectrum disorder; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Braynon, Flores, and Ring—

SB 130—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; updating and revising definitions; amending s. 443.101, F.S., relating to disqualification for benefits; revising the definition of the term “good cause”; amending ss. 443.1216 and 443.131, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senators Braynon and Margolis—

SB 132—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Sun, Sea, and Smiles license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Ring—

SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to hold at least one regular meeting each quarter during a school year after school hours or during the evening hours and to create criteria for holding such meeting; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Accountability.

By Senator Smith—

SB 136—A bill to be entitled An act relating to self-defense; amending s. 776.031, F.S.; authorizing a person to use force, except deadly force, in

the defense of property; authorizing a person to use deadly force, in the defense of property, to prevent the imminent commission of a forcible felony; providing that a person does not have a duty to retreat if the person is in a certain place; amending s. 776.032, F.S.; revising the definition of the term “criminal prosecution”; requiring, rather than authorizing, a law enforcement agency to investigate the use of force under certain circumstances; deleting the provision that prohibits a law enforcement agency from arresting a person for using force under certain circumstances; authorizing, rather than requiring, the court to award attorney fees, court costs, and other expenses to a defendant who used force under certain circumstances; amending s. 776.041, F.S.; deleting the provisions that make justifiable use of force available to an aggressor who initially provokes the use of force against himself or herself; providing additional circumstances in which justifiable use of force is not available; creating s. 776.09, F.S.; providing legislative findings; directing the Department of Law Enforcement to collect, process, maintain, and disseminate information and data on all incidents concerning the alleged justifiable use of force in this state; requiring the department to annually report to the Legislature the information and data in a format and manner determined by the Legislature; requiring each law enforcement agency within the state to monthly report to the department all incidents and cases in which a claim regarding the justifiable use of force is raised; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senators Brandes, Dean, and Benacquisto—

SB 138—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education; and Appropriations.

By Senator Braynon—

SB 140—A bill to be entitled An act relating to rental car sales and use tax surcharges; amending s. 212.0606, F.S.; defining the term “car-sharing service;” exempting the provision of vehicles by such services from the rental car surcharge; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Altman—

SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; clarifying in s. 393.063, that the meaning of the terms “intellectual disability” or “intellectually disabled” is the same as the meaning of the terms “mental retardation,” “retarded,” and “mentally retarded” for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term “intellectually disabled” for the term “mentally retarded”; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s.

916.107, F.S.; substituting the term “intellectual disability” for the term “retardation”; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms “intellectual disability” or “intellectually disabled” are interchangeable with and have the same meaning as the terms “mental retardation,” or “retardation” and “mentally retarded,” as defined before the effective date of the act; substituting the term “intellectual disability” for the term “mental retardation”; expressing legislative intent; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Rules.

By Senator Altman—

SB 144—A bill to be entitled An act relating to payment for services provided by licensed psychologists; amending ss. 627.6131 and 641.3155, F.S.; adding licensed psychologists to the list of health care providers who are protected by a limitations period from claims for overpayment being sought by health insurers or health maintenance organizations; adding licensed psychologists to the list of health care providers who are subject to a limitations period for submitting claims to health insurers or health maintenance organizations for underpayment; amending s. 627.638, F.S.; adding licensed psychologists to the list of health care providers who are eligible for direct payment for medical services by a health insurer under certain circumstances; making technical and grammatical changes; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Altman—

SB 146—A bill to be entitled An act relating to human papillomavirus vaccination; requiring that information regarding human papillomavirus, its effects, and available vaccines be provided to parents or guardians of all children entering grade 6; requiring that the Department of Health provide information for dissemination by the Department of Education; providing an effective date.

—was referred to the Committees on Health Policy; Education; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Altman and Soto—

SB 148—A bill to be entitled An act relating to sentencing in capital felonies; amending ss. 921.141 and 921.142, F.S.; requiring that an advisory sentence of death be made by a unanimous recommendation of the jury after a defendant’s conviction or adjudication of guilt for a capital felony or capital drug-trafficking felony; requiring the court to instruct the jury that, in order for the jury to recommend to the court that the death penalty be imposed, the jury must find that sufficient aggravating circumstances exist which outweigh any mitigating circumstances found to exist; requiring the court to instruct the jury that each aggravating circumstance used to support the jury’s recommendation of death be proven beyond a reasonable doubt by a unanimous vote; requiring that the court provide a special verdict form for each aggravating circumstance found; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Altman—

SB 150—A bill to be entitled An act relating to deaf and hard-of-hearing children; providing a short title; providing legislative findings and purpose; encouraging certain state agencies, institutions, and political subdivisions to develop recommendations ensuring that the language and communication needs of deaf and hard-of-hearing children

are addressed; requiring the purposes of the act to be expeditiously implemented; requiring the Department of Education to develop a communication model addressing communication considerations to be included in the individual education plan for deaf and hard-of-hearing students; requiring the department to disseminate the model to each school district and provide training as it determines necessary; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Altman—

SB 152—A bill to be entitled An act relating to motor vehicles; providing a short title; creating s. 316.3035, F.S.; prohibiting a person younger than 18 years of age from operating a motor vehicle while using a wireless communications device or telephone; providing exceptions; providing a penalty; amending s. 318.14, F.S.; providing procedures for a citation issued following a violation of certain restrictions, to conform to changes made by the act; amending s. 318.1451, F.S.; requiring that the course content of driver improvement schools include awareness training about using certain electronic devices while driving; requiring the Department of Highway Safety and Motor Vehicles to update course content requirements; amending s. 320.02, F.S.; providing for a voluntary check-off on motor vehicle registration forms to make a contribution to the Auto Club South Traffic Safety Foundation; amending s. 322.0261, F.S.; requiring course content of driver improvement schools to include awareness training about using certain electronic devices while driving; authorizing the department to update course content requirements; amending s. 322.08, F.S.; providing for a voluntary check-off on driver license application forms to make a contribution to the Auto Club South Traffic Safety Foundation; amending s. 322.095, F.S.; requiring traffic law and substance abuse education program content to include awareness of using certain electronic devices while driving; authorizing the department to update course content requirements; amending s. 322.16, F.S.; restricting the number of passengers under the age of 18 permitted in a vehicle operated by a person under the age of 18 unless accompanied by a driver at least 21 years of age; providing exceptions; providing for applicability; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Rules.

By Senator Detert—

SB 154—A bill to be entitled An act relating to certified school counselors; requiring each school district to have an overall ratio of at least one certified school counselor for a specified number of students; requiring each elementary, middle, and high school within the school district to have a specified minimum ratio of certified school counselors to students; requiring each school to have a minimum of one full-time certified school counselor and assign additional half-time or full-time certified school counselors only after reaching the maximum ratio; requiring each school district to include the ratio of certified school counselors to students in its annual audit and to adopt rules; providing the duties of certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.71, and 1012.98, F.S.; revising provisions to conform to changes made by the act; amending s. 1012.01, F.S.; prohibiting certified school counselors from being used as support staff for administrative duties; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Detert—

SB 156—A bill to be entitled An act relating to swimming pools and spas; amending s. 489.105, F.S.; revising the definition of the terms “contractor,” “commercial pool/spa contractor,” “residential pool/spa contractor,” and “swimming pool/spa servicing contractor” to include the cleaning, maintenance, and water treatment of swimming pools and spas; conforming provisions to changes made by the act; amending s. 489.111, F.S.; revising eligibility requirements to take the swimming pool/spa servicing contractors’ examination; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hays—

SB 158—A bill to be entitled An act relating to highway safety; prohibiting stopping a bus in a manner that impedes traffic while the bus is loading or unloading passengers; providing an exception; providing an effective date.

—was referred to the Committees on Education; Transportation; and Judiciary.

By Senators Richter and Dean—

SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waiver; limiting the time period a veteran can apply to 24 months from discharge; requiring applying veterans to be honorably discharged; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Detert—

SB 162—A bill to be entitled An act relating to school grades; amending ss. 1003.435 and 1008.34, F.S.; requiring that high schools be given a minimum percentage of credit for students who receive high school equivalency diplomas for purposes of calculating the school’s graduation rate, beginning with the 2013-2014 school year; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Detert—

SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; specifying that the standard for reunification from “endangerment” to “the best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Richter—

SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer’s system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; deleting a provision

providing a cap on surrender or deferred sales charges; prohibiting specified charges for annuities issued to persons 65 years of age or older; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

SR 168—Not referenced.

By Senator Soto—

SB 170—A bill to be entitled An act for the relief of Barney Brown, who was wrongfully incarcerated for 38 years; providing an appropriation to compensate Barney Brown for his wrongful incarceration; directing the Chief Financial Officer to draw a warrant; providing that the act does not waive certain defenses or increase the state's liability; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

SB 172—Withdrawn prior to introduction.

By Senators Bullard, Smith, and Braynon—

SB 174—A bill to be entitled An act for the relief of Brian Pitts; directing the Division of Administrative Hearings to appoint an administrative law judge or special master to determine a basis for equitable relief for the purpose of compensating Mr. Pitts for the wrongful acts or omissions of the State of Florida or officials thereof; requiring a report to the Legislature; authorizing compensation to Mr. Pitts upon a determination by an administrative law judge; providing an appropriation to compensate Mr. Pitts for injuries and damages sustained; providing a limitation on attorney fees and costs; directing that certain court orders and judgments be declared null and void; specifying the limited circumstances under which Mr. Pitts may represent himself or others in judicial or administrative proceedings; directing the Department of Law Enforcement to investigate certain illegal acts committed by certain persons; authorizing the President of the Senate, the Speaker of the House of Representatives, and the Governor to sever portions of this act under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 176—A bill to be entitled An act relating to elections; amending s. 101.657, F.S.; expanding the early voting period for elections that contain state or federal races; providing that supervisors of elections may provide early voting for no more than 14 hours per day for general election early voting; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Senator Soto—

SB 178—A bill to be entitled An act for the relief of Donald Brown by the District School Board of Sumter County; providing for an appropriation to compensate Donald Brown for injuries sustained as a result of the negligence of an employee of the District School Board of Sumter County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senators Flores and Latvala—

SB 180—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; classifying certain dependent children as residents for tuition purposes; requiring the State Board of Education to adopt rules and the Board of Governors of the State University System to adopt regulations; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Detert—

SB 182—A bill to be entitled An act relating to the homestead exemption; authorizing a person to report to a local property appraiser a possible homestead exemption violation under certain circumstances; requiring the property appraiser to certify to the tax collector the name and address of the person who reports a violation; requiring that the tax collector pay a specified maximum reward to the reporting individual after the recovery of any back taxes, interest, or penalties; requiring that funds for such reward be taken from a specified source; providing that a reward may be paid to only one person for each verified violation; providing for the determination of the recipient of a reward if more than one resident reports a violation; requiring associations for condominiums and cooperatives to provide a list of rented units to the property appraiser's office; requiring that the Department of Revenue create a form for reporting the violations and provide the form by specified means; requiring that each submitted form contain certain information; requiring that the property appraiser stamp each submitted form with the current date and time upon receipt; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 184—A bill to be entitled An act for the relief of J.D.S.; providing an appropriation from the General Revenue Fund to compensate J.D.S. for injuries and damages sustained as a result of negligence by the Agency for Persons with Disabilities, as successor agency of the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term "foreign judgment" for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; amending s. 685.101, F.S.; revising the circumstances under which the parties to a contract, agreement, or undertaking may agree that the law

of this state governs the contract, agreement, or undertaking; revising application dates of provisions relating to the jurisdiction of the courts; amending s. 685.102, F.S.; revising application dates of provisions relating to the jurisdiction of the courts; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Rules.

By Senator Legg—

SB 188—A bill to be entitled An act for the relief of Monica Cantillo Acosta and Luis Alberto Cantillo Acosta, surviving children of Nhora Acosta, by Miami-Dade County; providing for an appropriation to compensate them for the wrongful death of their mother, Nhora Acosta, due to injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Hukill—

SB 190—A bill to be entitled An act for the relief of Angela Sozzani; requiring that the Department of Children and Families request up to a certain amount in its annual legislative budget request each fiscal year to compensate Angela Sozzani for injuries and damages she sustained as a result of the negligence of employees of the Department of Children and Families; authorizing the department to request additional funds under extraordinary circumstances; providing for the reversion of funds; providing that Angela Sozzani's attorneys have represented her pro bono and fees and costs have not been awarded; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Appropriations; and Rules.

By Senator Legg—

SB 192—A bill to be entitled An act relating to targeted economic development; creating s. 288.126, F.S.; requiring the Department of Economic Opportunity to create economic development zones for science, technology, engineering, and mathematics; authorizing a STEM zone in counties with a state university classified as having very high research activity located in its jurisdiction; requiring the county to apply to the department for a STEM zone designation; requiring the application to appoint a STEM zone development agency; providing criteria for the agency; requiring the STEM zone development agency to appoint a STEM zone development board; providing criteria for the board; providing that the incentives and benefits provided for enterprise zones are available to the STEM zones; specifying the incentives and benefits available in the STEM zones; requiring the department to develop a grant program that applies to a STEM zone; providing criteria for the awarding of a grant; directing the STEM zone development agency to perform certain functions; requiring the department to work with the STEM zone development agency, the Department of Education, and Workforce Florida, Inc., to develop accountability requirements and measurable objectives; providing criteria; requiring that all incentives and benefits provided for enterprise zones be made available to STEM zones by a specified date; assigning duties for the administration of STEM zones to the local governing bodies that have jurisdiction over such zones; providing for boundaries of the zones, eligibility criteria for the incentives, and benefits provided in the zones; requiring that the applicable requirements for employee residency for higher refund or credit thresholds be based on employee residency in the STEM zone or an enterprise zone; establishing priorities for funding certain projects; limiting the annual amount of such incentives; authorizing the carry-forward of any unused amount of incentives for a specified period; providing for the issuance of certificates to eligible businesses; requiring the local governing body to certify to the Department of Revenue or the Department of Economic Opportunity which businesses or properties are eligible for the incentives; requiring the Department of Revenue to send written instructions to eligible businesses on claiming the credit on a

sales and use tax return initiated through an electronic data interchange; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Thompson—

SB 194—A bill to be entitled An act for the relief of James Joseph Richardson by the State of Florida; providing for an appropriation to compensate James Joseph Richardson for the length of time in prison sustained as a result of his wrongful conviction by the state; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

By Senators Sobel, Abruzzo, Clemens, and Soto—

SB 196—A bill to be entitled An act relating to families first; amending ss. 28.101 and 28.24, F.S.; setting forth fees and costs to be applied when petitioning for a dissolution of a domestic partnership or registering a domestic partnership, respectively; amending s. 97.1031, F.S.; providing notice to the supervisor of elections concerning a change of name due to participation in a domestic partnership; amending s. 382.002, F.S.; defining the term “dissolution of a domestic partnership” for purposes of vital records; including domestic partnerships and dissolution of domestic partnership as vital records in this state; conforming cross-references; amending s. 382.003, F.S.; requiring the Department of Health to examine all certificates of domestic partnership forms and dissolution of domestic partnership reports sent from the courts; amending s. 382.0085, F.S.; conforming a cross-reference; amending s. 382.021, F.S.; requiring the clerk of the circuit court to transmit all original declarations of domestic partnership to the Department of Health by a specified date each month; amending s. 382.022, F.S.; requiring the clerk of the circuit court to collect a fee after registering a domestic partnership; amending s. 382.023, F.S.; requiring the clerk of the circuit court to collect a fee upon filing a final judgment for a dissolution of domestic partnership; amending s. 382.025, F.S.; authorizing the Department of Health to issue a certified copy of certain vital records to a domestic partner; amending s. 382.0255, F.S.; providing that the Department of Health is entitled to a specified fee for the issuance of a commemorative certificate of domestic partnership; amending s. 446.50, F.S.; requiring that certain fees relating to declarations of domestic partnership and dissolution of domestic partnership filings be deposited in the Displaced Homemaker Trust Fund; amending s. 741.28, F.S.; redefining the term “family or household member” in the context of domestic violence to include a domestic partnership; creating s. 741.501, F.S.; providing legislative findings; creating s. 741.502, F.S.; defining terms; creating s. 741.503, F.S.; requiring the Department of Health to create and distribute the Declaration of Domestic Partnership and Certificate of Registered Domestic Partnership forms to each clerk of the circuit court; requiring the department and each clerk of the circuit court to make the Declaration of Domestic Partnership form available to the public; creating s. 741.504, F.S.; providing that the circuit court has jurisdiction over domestic partnership proceedings; requiring the clerk of the circuit court to maintain a domestic partnership registry; providing that the registry is a public record; creating s. 741.505, F.S.; requiring two individuals who wish to become partners in a domestic partnership to complete and file a Declaration of Domestic Partnership form with the clerk of the circuit court; specifying the required contents of the completed form; providing that each partner who signs the form consents to the jurisdiction of the circuit court for certain purposes; providing that if a person files an intentionally and materially false form, he or she commits a misdemeanor of the first degree; providing criminal penalties; requiring the clerk of the circuit court to register the Declaration of Domestic Partnership in a domestic partnership registry and issue a Certificate of Registered Domestic Partnership; creating s. 741.506, F.S.; authorizing the domestic partners to retain surnames; creating s. 741.507, F.S.; providing that any privilege or responsibility granted or imposed by statute, administrative or court rule, policy, common law, or any other law to an individual because the individual is or was related to another by marriage, or is a child of either of the spouses, is granted on equivalent terms to domestic partners or individuals similarly related to domestic partners; providing that the act

does not require or permit the extension of any benefit under a retirement, deferred compensation, or other employee benefit plan, if the plan administrator reasonably concludes that the extension of benefits to partners would conflict with a condition for tax qualification of the plan, or a condition for other favorable tax treatment of the plan, under the Internal Revenue Code; creating s. 741.508, F.S.; specifying prohibited or void domestic partnerships; creating s. 741.509, F.S.; requiring that the clerk of the circuit court collect certain fees for receiving a Declaration of Domestic Partnership; authorizing the clerk of the circuit court to accept installment payments from individuals who are unable to pay the fees in a lump sum; creating s. 741.510, F.S.; providing methods to prove the existence of a registered Declaration Domestic Partnership when the certificate document has been lost or is otherwise unavailable; creating s. 741.511, F.S.; providing for termination of a domestic partnership; providing for notice; providing for the effective date of the termination; providing for registration of the termination; requiring records of certain terminations to be maintained; providing for automatic termination of partnership if either party enters into a valid marriage; providing for a reasonable fee for termination; reenacting ss. 921.0024(1)(b) and 943.171(2)(b), F.S., relating to the worksheet form for the Criminal Punishment Code and the basic skills training for domestic violence cases, respectively, to incorporate the amendments made to s. 741.28, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules.

By Senator Abruzzo—

SJR 198—A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution to establish minimum salaries for full-time public school teachers.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Gardiner—

SB 200—A bill to be entitled An act relating to trust funds; re-creating the Transportation Revenue Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0815(4), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gardiner—

SB 202—A bill to be entitled An act relating to trust funds; re-creating the Transportation Governmental Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0816(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gardiner—

SB 204—A bill to be entitled An act relating to the termination of trust funds within the Department of Transportation; terminating the Everglades Parkway Construction Trust Fund; terminating the Jacksonville Transportation Authority Project Construction Trust Fund; providing for the transfer of any balances or revenues in the trust funds; requiring that the department pay outstanding debts or obligations of the trust funds; requiring that the Chief Financial Officer close out and remove the terminated funds from the state accounting systems; terminating the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for the transfer of any balances or revenues in the trust fund; requiring that the department pay outstanding debts or obligations of the trust fund; requiring that the Chief Financial Officer close out and remove the terminated fund from the various state accounting systems; repealing s. 339.082, F.S., relating to the Federal Law Enforcement Trust Fund; repealing s. 932.7055(6)(j),

F.S., relating to an exception to proceeds deposited into the General Revenue Fund by the Department of Transportation; repealing s. 2(2)(b) and (f) of ch. 2004-235, L.O.F., relating to an exemption from termination of the Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gardiner—

SB 206—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of State without modification; repealing s. 20.105(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gardiner—

SB 208—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Economic Opportunity without modification; repealing s. 20.181(3), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Gardiner—

SB 210—A bill to be entitled An act relating to trust funds; re-creating the Clearing Funds Trust Fund within the Department of State without modification; repealing s. 20.104(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Hays—

SB 212—A bill to be entitled An act relating to trust funds; amending s. 379.204, F.S.; providing that the Fish and Wildlife Conservation Commission may return certain cash balances transferred for cash flow needs when they are no longer needed for that purpose; amending s. 379.207, F.S.; deleting a restriction on an expenditure from the Lifetime Fish and Wildlife Trust Fund; amending s. 379.212, F.S.; renaming the Fish and Wildlife Habitat Program as the Land Acquisition Trust Fund; creating s. 379.213, F.S.; providing for the administration and funding of the Save the Manatee Trust Fund; creating s. 379.214, F.S.; providing for the administration and funding of the Invasive Plant Control Trust Fund; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Hays—

SB 214—A bill to be entitled An act relating to trust funds; terminating the Florida Forever Program Trust Fund within the Department of Environmental Protection; providing for the disposition of balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; repealing s. 380.5115, F.S., relating to the Florida Forever Program Trust Fund within the Department of Environmental Protection; amending s. 259.101, F.S.; revising the designation of revenues from the disposal of lands in the Preservation 2000 program; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Hays—

SB 216—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Management

Services without modification; repealing s. 20.221(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Hays—

SB 218—A bill to be entitled An act relating to trust funds; re-creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation without modification; repealing s. 494.00173(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Bradley—

SB 220—A bill to be entitled An act relating to trust funds; re-creating the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.715(2), F.S.; abrogating provisions relating to the scheduled termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Detert—

SB 222—A bill to be entitled An act relating to reemployment assistance; transferring the functions of the Reemployment Assistance Appeals Commission to the Department of Economic Opportunity; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; requiring the department to coordinate the development and implementation of a transition plan; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; requiring that the Governor submit information and obtain waivers as required by federal law; providing that a transfer includes the transfer of any records and unexpended balances of certain funds; requiring the successor organization to be the custodian of certain property; amending s. 443.012, F.S.; deleting reference to the Reemployment Assistance Appeals Commission and replacing it with the Regional Appeal Offices; requiring the Department of Economic Opportunity to create a regional appeal office at each regional workforce board; requiring the regional workforce board to appoint appeals referees; providing that alternates may be used if a conflict of interest arises; requiring each regional workforce board to appoint a review panel; providing for membership; providing for a general counsel; providing for certain staggered terms for members; requiring the department to establish a central appeals office for recordkeeping; requiring the department to post final orders online; requiring the department to create a seal; providing for job performance appraisals; amending ss. 443.151, 120.80, 443.0315, 443.041, 443.101, 443.141, and 443.171, F.S.; revising references to the commission; deleting duplicative language; providing for appeals to be filed at the regional appeal office located at the regional workforce board servicing the claimant's last principal place of business; providing for electronic filing of appeals; providing that an appeal of an appeals referee decision be made at the review panel located at the same regional appeal office; providing that an appeal of a review panel decision be made at the district court of appeal where the order was issued; requiring the department to enter an order in accordance with decisions of the district court of appeal; amending s. 20.60, F.S.; deleting a subsection relating to the department's power over the Reemployment Assistance Appeals Commission; amending ss. 110.205 and 443.036, F.S.; deleting references to the commission; providing examples of misconduct; amending s. 443.091, F.S.; limiting a claimants use of the same prospective employer to meet work search requirements; providing an exception; providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.131, F.S.; requiring the tax collection service provider to calculate a certain additional rate; providing for when an assessment may not be made; requiring assessments to be available to pay interest on federal advances; requiring certain excess funds to be transferred to the Unemployment Compensation Trust Fund after a certain time period; deleting the

provision referring to crediting employer accounts; providing an expiration date; amending s. 443.1317, F.S.; providing that the department shall have ultimate authority over administration of the Reemployment Assistance Program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Detert—

SB 224—A bill to be entitled An act relating to the Florida Small Business Development Center Network; amending s. 288.001, F.S.; providing that the network's statewide director is subject to the approval of the Board of Governors of the State University System; providing for removal for cause; requiring the statewide director to regularly update the Board of Governors and the Department of Economic Opportunity with certain information; providing that the Board of Governors, the department, and the network's statewide advisory board are jointly responsible for establishing certain policies and goals; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the statewide director to work with regional small business development centers to establish and approve budgets; requiring the statewide director to establish certain accountability measures; requiring the statewide director to coordinate with the Board of Governors to establish an innovative incentive program; providing for funds to be disbursed to regional small business development centers that meet certain standards; providing that match funding may not be reduced for regional small business development centers receiving funds from the innovative incentive program; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations; amending s. 1001.706, F.S.; providing the Board of Governors with certain powers and duties relating to the network; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Ring—

SB 226—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring that each district school board provide disability history and awareness instruction in all K-12 public schools; requiring that the Department of Education assist in creating the curriculum for the disability history and awareness instruction; providing for individual presenters who have disabilities to augment the disability history and awareness instruction; creating the Disability History and Awareness Advisory Council within the Department of Education; providing for certain individuals to apply to the department for membership on the council; providing that the Commissioner of Education, the member of the Senate, and the member of the House of Representatives are ex officio, nonvoting members of the council; requiring that the department provide a liaison to assist the council; requiring that the department act as the fiscal agent for all financial transactions required by the council; providing responsibilities of the council; providing meeting times for the council; providing an effective date.

—was referred to the Committees on Education; Children, Families, and Elder Affairs; Appropriations Subcommittee on Education; and Appropriations.

By Senator Flores—

SB 228—A bill to be entitled An act relating to presuit discovery in medical negligence actions; amending s. 766.1065, F.S.; revising the authorization form for release of protected health information which clarifies that the authorization only permits health care providers to furnish copies of written and electronic medical records; clarifying provisions in the authorization form which relate to the use of the patient's health information; providing an effective date.

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

By Senator Ring—

SB 230—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

SB 232—Withdrawn prior to introduction.

By Senator Clemens—

SB 234—A bill to be entitled An act relating to voter registration; amending s. 97.057, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to automatically register to vote or update a voter registration record of an eligible individual; requiring the department to notify the individual that certain information gathered for the completion of a driver license or identification card application, renewal, or change of address is automatically transferred to a voter registration application or used to update a voter registration record; requiring a driver license examiner to notify an applicant that, by applying for, renewing, or updating a driver license or identification card, the applicant is consenting to automatically register to vote or update his or her voter registration record; authorizing an applicant to revoke consent to automatically register to vote or update a voter registration record; requiring that an applicant who fails to designate party affiliation be registered without party affiliation; providing an effective date.

—was referred to the Committees on Ethics and Elections; Transportation; and Rules.

By Senator Hukill—

SB 236—A bill to be entitled An act relating to tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting caps on tax refunds for qualified defense contractors and space flight businesses and for qualified target industry businesses; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Flores—

SB 238—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or upgrade of facilities by private entities which are used predominately for a public purpose; requiring public entities to develop and adopt guidelines governing procedures and criteria for the selection of projects and public-private agreements; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between the public and private entities; providing for user fees; providing for financing from private sources and public entities; providing powers and duties for private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Governmental Oversight and Accountability; Appropriations Subcommittee on Education; and Appropriations.

By Senator Clemens—

SB 240—A bill to be entitled An act relating to protest activities; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Rules.

By Senator Hukill—

SB 242—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of this state on the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for effective date and amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of compact and other laws; authorizing the office to exercise the state's right to prospectively opt out of all uniform standards in the compact involving long-term care insurance products; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Dean—

SB 244—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water

supply component of the regional water supply plan; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Governmental Oversight and Accountability.

By Senator Dean—

SB 246—A bill to be entitled An act relating to assistance for persons whose primary residences were damaged by Tropical Storm Debby or Hurricane Isaac; providing for reimbursement of a portion of the ad valorem tax levied on a house or other residential building if the building was rendered uninhabitable due to Tropical Storm Debby or Hurricane Isaac; requiring that application for such reimbursement be made with the property appraiser; providing application requirements; requiring that the property owner provide documentation that the property was uninhabitable; requiring each property appraiser to determine an applicant's entitlement to reimbursement and the reimbursement amount; providing a formula for calculating the reimbursement amount; limiting the reimbursement amount; requiring property appraisers to submit reimbursement lists to the Department of Revenue by a specified date; requiring the Department of Revenue to determine the total reimbursement payments; providing a definition; authorizing an applicant to file a petition with the value adjustment board if the application for reimbursement is not fully granted; requiring that the department retain funds for the purpose of paying claims that are subsequently granted by a value adjustment board; providing a penalty for giving false information; requiring that undeliverable reimbursement checks be forwarded to the certifying property appraiser; providing for reimbursement of the state sales tax paid on the purchase of a mobile home to replace a mobile home that experienced major damage from Tropical Storm Debby or Hurricane Isaac; requiring that application for such reimbursement be made with the property appraiser; providing application requirements; requiring that a property owner provide documentation of damage to the mobile home; requiring each property appraiser to determine an applicant's entitlement to reimbursement and the reimbursement amount; limiting the reimbursement amount; requiring property appraisers to submit reimbursement lists to the Department of Revenue by a specified date; requiring the Department of Revenue to determine the total reimbursement payments; providing definitions; authorizing an applicant to file a petition with the value adjustment board if the application for reimbursement is not fully granted; requiring that the department retain funds for the purpose of paying claims that are subsequently granted by a value adjustment board; providing a penalty for giving false information; requiring that undeliverable reimbursement checks be forwarded to the certifying property appraiser; providing appropriations; providing for certifying forward unexpended funds; providing that the Legislature intends for payments made under the act to be considered disaster relief for purposes of the Internal Revenue Code; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Thrasher—

SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 20.165, F.S.; authorizing the Department of Business and Professional Regulation to require a person licensed by or applying for a license from the department to comply with provisions governing treatment programs for impaired practitioners as if the licensee or applicant were under the jurisdiction of the Division of Medical Quality Assurance within the Department of Health; authorizing the Department of Business and Professional Regulation to exercise the powers granted to the Department of Health with respect to such programs; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; providing that if the Department of Health receives a complaint alleging that an applicant is impaired, such information does not constitute grounds for discipline under certain circumstances; providing

that if the department does not receive a legally sufficient complaint and the applicant agrees to withdraw his or her application until the applicant has completed a treatment program, the probable cause panel or the department is prohibited from becoming involved in the applicant's case; providing that certain inquiries against an applicant do not constitute a complaint; providing procedures for when the department receives a legally sufficient complaint alleging that an applicant is impaired; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee or applicant to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

—was referred to the Committees on Health Policy; and Regulated Industries.

By Senator Ring—

SB 250—A bill to be entitled An act relating to the Florida Law Enforcement Officers' Hall of Fame; creating s. 265.004, F.S.; establishing the Florida Law Enforcement Officers' Hall of Fame; providing for administration by the Department of Law Enforcement; designating location; providing procedures for selection, nomination, and induction; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Altman—

SB 252—A bill to be entitled An act relating to cigarette products of nonsettling manufacturers; creating s. 210.23, F.S.; providing the purpose of the act; creating s. 210.232, F.S.; defining terms; creating s. 210.234, F.S.; imposing a fee on the sale, receipt, purchase, possession, consumption, handling, distribution, and use of nonsettling manufacturer cigarettes that are required to have a stamp affixed or stamp insignia applied to the package of cigarettes on which tax is otherwise required to be paid; providing that the fee imposed is in addition to any other privilege, license, fee, or tax required or imposed by state law; prescribing methods to affix a stamp or insignia to the tobacco products; creating s. 210.236, F.S.; providing the fee rate for nonsettling manufacturers; creating s. 210.238, F.S.; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to post a directory listing of all settling manufacturers that have provided accurate certifications of their products in order to calculate their payments under the tobacco settlement agreement for the relevant year on the Internet website of the division; providing that any cigarette of a brand family not on the directory list be presumptively considered a nonsettling manufacturer product; creating s. 210.240, F.S.; requiring each dealer, agent, and distributing agent to file a report; requiring the report to include certain specified information; creating s. 210.245, F.S.; providing penalties for a nonsettling manufacturer that fails to pay the mandated fees; creating s. 210.246, F.S.; providing for application of the act; creating s. 210.248, F.S.; authorizing the division to adopt rules; creating s. 210.249, F.S.; providing conditions for imposing the fee on subsequent participating manufacturers who already make payments on Florida sales of cigarettes pursuant to the master settlement agreement; defining terms; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Clemens—

SJR 254—A joint resolution proposing an amendment to Section 1 of Article XI of the State Constitution to limit the number of amendments to the State Constitution that the Legislature may submit to the electorate at the same election to three; providing an effective date.

—was referred to the Committees on Judiciary; Ethics and Elections; and Rules.

By Senator Margolis—

SB 256—A bill to be entitled An act relating to state debtors; directing the Department of State to publish on its website a list of persons owing money to the state; requiring state agencies to forward such information to the department; requiring the department to publish such information in state newspapers; requiring that the Department of State notify the Chief Financial Officer or the governing body of a county, municipality, or special district of any unpaid debt or fines levied against a person who has been elected to a state, county, municipal, or special district office; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district withhold salary payments that would otherwise be paid to an elected official when that official owes a debt or fine to the state; authorizing the Chief Financial Officer or the governing body to retain a percentage of payment for administrative costs; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Community Affairs.

By Senators Bradley, Dean, and Hays—

SB 258—A bill to be entitled An act relating to the Florida Clean Indoor Air Act; amending s. 386.209, F.S.; authorizing municipalities and counties to restrict smoking on certain properties; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Policy; and Community Affairs.

By Senators Latvala and Dean—

SB 260—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; providing criteria for veterans of the Armed Services of the United States, including reserve components thereof, to qualify as residents for tuition purposes; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Smith—

SB 262—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; providing that an insurance policy may be delivered by electronic means; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

By Senator Hays—

SB 264—A bill to be entitled An act relating to smoke detectors; amending s. 633.025, F.S.; requiring a battery-operated smoke detector installed on or after a specified date to contain a built-in battery capable of powering it for at least 10 years; providing exemptions; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; and Governmental Oversight and Accountability.

By Senator Margolis—

SB 266—A bill to be entitled An act relating to state lotteries; amending s. 24.105, F.S.; authorizing the Department of the Lottery to create and administer a program that provides for the sale of lottery tickets online; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Gaming; Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Abruzzo—

SB 268—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; prohibiting a dependent child who is a United States citizen from being denied classification as a resident for tuition purposes based solely upon the citizenship status of his or her parent; requiring the State Board of Education to adopt rules and the Board of Governors of the State University System to adopt regulations; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Clemens—

SB 270—A bill to be entitled An act relating to enterprise zones; creating s. 290.00791, F.S.; authorizing the City of Lake Worth to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing an application deadline and requirements for the area of the enterprise zone; requiring the department to establish the effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Clemens—

SB 272—A bill to be entitled An act relating to ethics; amending s. 112.3143, F.S.; defining the term “special private gain or loss”; providing an exception to provisions relating to voting conflicts, to conform to changes made by the act; creating s. 112.31435, F.S.; providing definitions; prohibiting a member of the Legislature from voting upon or participating in any legislation inuring to the personal gain or loss of the member or his or her relative; prohibiting a member of the Legislature from participating in any legislation inuring to the personal gain or loss of a business associate, employer, board on which the member sits, principal by whom the member is retained, or parent corporation or subsidiary of such principal; requiring that a member disclose all such interests to the applicable legislative body or committee before the legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be recorded in the journal of the house of which the legislator is a member; requiring that members of the Legislature vote on the General Appropriations Act and disclose conflicts of interest with any line-item appropriation; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules.

By Senators Dean and Evers—

SB 274—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Abruzzo—

SB 276—A bill to be entitled An act relating to state university fee exemptions; providing a short title; amending s. 1009.25, F.S.; providing an exemption from the payment of tuition for students enrolled in certain foreign language courses offered at a state university; providing for repeal unless reviewed and reenacted by the Legislature; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 278—A bill to be entitled An act relating to optometry; amending s. 463.002, F.S.; revising definitions; amending s. 463.005, F.S.; revising a reference to ocular pharmaceutical agents; amending and reordering s. 463.0055, F.S.; revising references to ocular pharmaceutical agents; requiring certified optometrists to complete a course and examination on general and ocular pharmaceutical agents; requiring the Florida Medical Association and the Florida Optometric Association to jointly administer, develop, and determine the course site for the course and examination; requiring the associations to present the first course and examination by a specified date and to administer the course and examination at least annually; requiring two optometrists appointed to the formulary committee to be licensed and certified; requiring that the formulary consist of pharmaceutical agents that are appropriate to treat and diagnose ocular diseases and disorders; amending s. 463.0057, F.S.; revising reference to ocular pharmaceutical agents; adding a cross-reference to changes made by the act; amending s. 463.006, F.S.; revising reference to ocular pharmaceutical agents; incorporating mandating language that was removed from the definitions; amending s. 463.0135, F.S.; providing that a certified optometrist is authorized to perform any eye examination required or authorized by chapter 548; amending s. 463.014, F.S.; making technical and grammatical changes; amending s. 483.035, F.S., relating to licensure and regulation of clinical laboratories operated by practitioners for exclusive use; providing applicability to clinical laboratories operated by practitioners licensed to practice optometry; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include a practitioner licensed under ch. 463, F.S.; amending s. 483.181, F.S.; requiring clinical laboratories to accept human specimens submitted by practitioners licensed to practice under ch. 463, F.S.; amending s. 893.02, F.S.; revising the definition of the term “practitioner” to include certified optometrists for purposes of the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering and prescribing certain controlled substances; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Smith—

SB 280—A bill to be entitled An act relating to criminal prosecution of juveniles; amending s. 985.557, F.S.; providing additional circumstances for the discretionary direct filing of charges against certain juveniles; providing criteria for determining when a case against a juvenile should be recommended to the court to be transferred for criminal prosecution; providing criteria for consideration of a child’s request to an adult court to return a criminal case to the juvenile justice system; reenacting s. 985.556(3), F.S., relating to involuntary mandatory waiver of juvenile court jurisdiction, to incorporate the amendments made to s. 985.557, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Richter—

SB 282—A bill to be entitled An act relating to consumer finance charges; amending s. 516.031, F.S.; increasing the proportionate loan amounts that are subject to descending maximum rates of interest; increasing the maximum delinquency charge that may be imposed for each loan payment in default for not less than a specified time; reenacting and amending s. 516.19, F.S., relating to penalties, for the purpose of incorporating the amendment made to s. 516.031, F.S., in a reference thereto; providing penalties; making technical and grammatical changes; providing applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Tourism.

By Senator Negron—

SB 284—A bill to be entitled An act relating to student safety; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district under certain circumstances; providing an effective date.

—was referred to the Committees on Education; and Military Affairs, Space, and Domestic Security.

By Senator Negron—

SB 286—A bill to be entitled An act relating to design professionals; amending s. 558.002, F.S.; providing and renumbering definitions; creating s. 558.0035, F.S.; providing that certain contracts executed by a business entity may specify that certain architects, interior designers, landscape architects, engineers, and surveyors may not be held individually liable for negligence in the performance of professional services provided under those contracts; specifying that a contract that prohibits individual liability must meet certain requirements; amending ss. 471.023, 472.021, 481.219, and 481.319, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Community Affairs.

By Senator Bradley—

SB 288—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Galvano—

SB 290—A bill to be entitled An act relating to taxes on prepaid calling arrangements; amending ss. 202.11 and 212.05, F.S.; revising the definition of “prepaid calling arrangement” to clarify and update which services are included under that definition; providing for retroactive application; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senators Richter, Flores, Bean, and Brandes—

SB 292—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for the tolling of applicable time limitations for initiating actions; providing requirements for the demand letter; providing that a dealer and its employees, agents, principals, sureties, and insurers are not required to pay attorney fees in certain circumstances; providing that payment or offer of payment of the damages does not constitute an admission of wrongdoing or liability, is protected from introduction as evidence in a civil litigation, and releases the dealer from any claim, suit, and action; providing for applicability; requiring that a specified notice be provided to consumers before provisions may apply; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Judiciary.

By Senator Bradley—

SB 294—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senators Dean and Bradley—

SB 296—A bill to be entitled An act relating to retirement; amending s. 25.073, F.S.; providing for a former justice or judge to be qualified to serve as a retired justice or judge under certain conditions; providing circumstances under which such justice or judge may not serve as a retired justice or judge; amending s. 121.053, F.S.; exempting retired judges who consent to temporary duty from certain termination and reemployment limitations; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Brandes—

SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; providing for the transfer of certain rules of the Department of Agriculture and Consumer Services to the Department of Citrus; providing for retroactive application of such rules; providing an effective date.

—was referred to the Committees on Agriculture; and Governmental Oversight and Accountability.

By Senator Detert—

SB 300—A bill to be entitled An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Senators Altman, Evers, and Ring—

SB 302—A bill to be entitled An act relating to cardiopulmonary resuscitation training in public schools; amending s. 1003.453, F.S.; requiring school districts to provide training in cardiopulmonary resuscitation to students at least one time before they graduate from high school; requiring students to study and practice the psychomotor skills associated with performing cardiopulmonary resuscitation before graduating from high school; providing an exception for students who have a disability under the Enhanced New Needed Opportunity for Better Life and Education for Students with Disabilities Act; making a technical change; providing an effective date.

—was referred to the Committees on Education; Health Policy; Appropriations Subcommittee on Education; and Appropriations.

By the Committee on Criminal Justice—

SB 304—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., which provides a public records exemption for certain records submitted to an agency by an employee who is a victim of domestic violence or sexual violence; eliminating the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Senators Braynon and Abruzzo—

SB 306—A bill to be entitled An act relating to professional sports facilities; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on land publicly owned, which is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a tax rebate for a renovated professional sports facility; conforming a cross-reference; amending s. 218.64, F.S.; conforming a cross-reference; amending s. 288.1162, F.S.; authorizing a professional sports franchise renovation facility to apply for certain state funds; defining the term “professional sports franchise renovation facility”; authorizing a professional sports franchise renovation facility to receive additional funding; requiring the Department of Economic Opportunity to make a determination that certain criteria are met before certifying a professional sports franchise renovation facility; limiting the use of certain funds by a professional sports franchise renovation facility; prohibiting the department from certifying more than one professional sports franchise renovation facility; clarifying that the limitations for certification apply to new or retained professional sports franchise facilities; amending s. 288.11621, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

By Senator Braynon—

SB 308—A bill to be entitled An act relating to abusive workplace environments; creating the “Abusive Workplace Environment Act”; providing legislative findings and purposes for the act; defining terms; prohibiting a public employer from subjecting his or her employee to an abusive workplace environment; declaring that an employer violates the act if he or she subjects an employee to an abusive workplace environment or has knowledge that any person has subjected an employee of the employer to an abusive workplace environment and has failed to exercise reasonable care to prevent and promptly correct the abusive conduct; prohibiting an employer from retaliating in any manner against an employee because the employee has opposed an unlawful employment practice or has made a charge, testified, assisted, or participated in any manner in an investigation or proceeding; providing that an employer may assert an affirmative defense against the employee under certain circumstances; providing that an employee may be individually liable if he or she commits an unlawful employment practice; providing that an employee may assert an affirmative defense against an employee or employer under certain circumstances; providing that a violation of the act may be enforced solely by a private right of action; requiring that a civil action filed under the act must be commenced no later than 1 year after the date of the last incident that is part of the alleged unlawful employment practice; providing that if a person is found to have committed an unlawful employment practice that culminated in an adverse employment action, the court may enjoin the person from engaging in the unlawful employment practice and may order any other relief that it deems appropriate, including punitive damages and attorney fees; providing that if an employer has been found to have committed an unlawful employment practice, but the act did not culminate in an adverse employment action, the employer is liable for damages for emotional distress but is not subject to punitive damages; providing that the remedies provided by the act are cumulative to other laws; providing for an exception for workers’ compensation awards; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Braynon—

SB 310—A bill to be entitled An act relating to fair housing; amending s. 760.35, F.S.; providing that an aggrieved person may file a civil action without first filing an administrative complaint for a discriminatory housing practice; providing that, if the Florida Commission on Human Relations or local agency has obtained a conciliation agreement with the consent of the aggrieved person, the filing of a civil action is prohibited, except to enforce the terms of the agreement; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Rules.

By Senator Braynon—

SB 312—A bill to be entitled An act relating to family support personnel policies; amending s. 110.1522, F.S.; requiring the model rule establishing family support personnel policies to provide for a specified amount of leave for an employee who has a family member with a serious health condition; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Braynon—

SB 314—A bill to be entitled An act relating to the privacy of firearm owners; repealing s. 790.338, F.S., relating to medical privacy concerning firearms; amending s. 381.026, F.S.; deleting a provision providing that unless the information is relevant to the patient’s medical care or safety,

or the safety of others, inquiries regarding firearm ownership or possession should not be made by licensed health care providers or health care facilities; deleting a provision providing that a patient may decline to provide information regarding the ownership or possession of firearms; deleting a provision clarifying that a physician’s authority to choose his or her patients is not altered by the act; deleting a provision prohibiting discrimination by licensed health care providers or health care facilities based solely upon a patient’s firearm ownership or possession; deleting a provision prohibiting harassment of a patient regarding firearm ownership during an examination by a licensed health care provider or health care facility; amending s. 456.072, F.S.; conforming a provision to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Policy; and Rules.

By Senators Detert and Margolis—

SB 316—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.0596, F.S.; revising the term “mail order sale” to specifically include sales of tangible personal property ordered through the Internet; deleting certain provisions that specify dealer activities or other circumstances that subject mail order sales to this state’s power to levy and collect the sales and use tax; providing that certain persons who make mail order sales and who have a substantial nexus with this state are subject to this state’s power to levy and collect the sales and use tax when they engage in certain enumerated activities; specifying that dealers are not required to collect and remit sales and use tax unless certain circumstances exist; creating a rebuttable presumption that a dealer is subject to the state’s power to levy and collect the sales or use tax under specified circumstances; specifying evidentiary proof that may be submitted to rebut the presumption; amending s. 212.06, F.S.; revising the definition of the term “dealer”; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

By Senator Grimsley—

SB 318—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school districts to issue the identification badge to a qualified contractor; providing that the identification badge shall be recognized by all school districts; providing that the identification badge is valid for 5 years; establishing conditions for return of an identification badge; requiring the department to determine a uniform cost a school district may charge a contractor for receipt of the identification badge, which shall be borne by the contractor; providing an exception for certain contractors; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Evers—

SB 320—A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all gasoline offered for sale in this state include a percentage of ethanol, subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation.

By Senator Brandes—

SB 322—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Appropriations.

By Senator Brandes—

SB 324—A bill to be entitled An act relating to the Florida Insurance Guaranty Association; amending s. 631.52, F.S.; revising the list of kinds of insurance exempted from the guarantee of payments; reordering and amending s. 631.57, F.S.; revising the duties of the association; authorizing the association to collect regular assessments directly from policyholders; authorizing the association to collect emergency assessments from insurers under certain circumstances; making technical and grammatical corrections; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Hays—

SB 326—A bill to be entitled An act relating to the powers and duties of the Department of Environmental Protection; amending s. 253.7827, F.S.; removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing s. 253.783(2), F.S., relating to additional powers and duties of the department to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Latvala—

SB 328—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; providing a peer review requirement for the license renewal of certain firms engaged in the practice of public accounting; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; providing an effective date.

—was referred to the Committees on Regulated Industries; and Appropriations.

By Senator Latvala—

SB 330—A bill to be entitled An act relating to qualified portable consumer fuel containers; creating s. 768.1258, F.S.; providing definitions; providing that manufacturers, sellers, and suppliers of qualified portable consumer fuel containers are not liable for injury, death, or loss, subject to specified actions, and not responsible for other relief relating to misuse of qualified portable consumer fuel containers; providing exceptions; providing for award of attorney fees in certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Judiciary.

By Senator Abruzzo—

SB 332—A bill to be entitled An act relating to public school instruction; amending s. 1003.42, F.S.; requiring that instructional staff of public schools provide instruction to students about the terrorist attacks occurring on September 11, 2001, and the impact of those events; providing an effective date.

—was referred to the Committees on Education; and Military Affairs, Space, and Domestic Security.

SR 334—Not referenced.

By Senator Latvala—

SB 336—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; clarifying that the proceeds of the tax may be used for the benefit of certain museums or aquariums; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Community Affairs.

By Senator Simpson—

SB 338—A bill to be entitled An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

SR 340—Not referenced.

By Senator Thrasher—

SB 342—A bill to be entitled An act relating to the rental of home-stead property; amending s. 196.061, F.S.; revising criteria under which rental of such property is allowed for tax exemption purposes and not considered abandoned; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 344—A bill to be entitled An act relating to assault or battery on a utility worker; amending s. 784.07, F.S.; defining the term “utility worker”; providing for reclassification of certain offenses committed against a utility worker; amending ss. 901.15, 943.051, 985.11, and 985.644, F.S.; conforming provisions to changes made by the act; re-enacting and amending s. 921.0022(3)(d), (f), and (g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment made to s. 784.07, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Soto—

SB 346—A bill to be entitled An act relating to electrical contracting; amending s. 489.537, F.S.; authorizing municipalities and counties to require that the electrical journeyman who is present on certain industrial or commercial construction sites possess a certificate of competency; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Soto—

SB 348—A bill to be entitled An act relating to the Urban Infill and Redevelopment Assistance Grant Program; creating s. 163.2524, F.S.; establishing the Urban Infill and Redevelopment Assistance Grant Program; providing a program for grants to counties and municipalities with urban infill and redevelopment areas; authorizing transfer of unused funds between grant categories under the program; requiring the Department of Economic Opportunity to administer the program; requiring the department to adopt rules establishing grant review criteria; amending ss. 163.065, 163.2511, and 163.2514, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Braynon—

SB 350—A bill to be entitled An act relating to the allocation and expenditure of state lottery revenues; amending s. 24.121, F.S.; requiring a percentage of unencumbered funds to be allocated to the Voluntary Prekindergarten Education Program; providing for use of the funds; providing an effective date.

—was referred to the Committees on Education; Gaming; Regulated Industries; Appropriations Subcommittee on Education; and Appropriations.

By Senator Hays—

SB 352—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—was referred to the Committees on Education; and Appropriations.

By Senator Thrasher—

SB 354—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Abruzzo—

SB 356—A bill to be entitled An act relating to financial guaranty insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Tourism.

By Senators Simmons, Soto, Stargel, and Thompson—

SB 358—A bill to be entitled An act relating to professional sports franchises; amending s. 288.1162, F.S.; adding Major League Soccer to

the meaning of the term “league”; providing that a previously certified applicant is not eligible for an additional certification under certain circumstances; requiring the Department of Economic Opportunity to reserve two new facility certifications for new Major League Soccer franchises; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Garcia—

SB 360—A bill to be entitled An act relating to surgical assistants and surgical technologists; providing definitions; prohibiting a health care facility from employing, contracting with, or granting surgical privileges to a person who does not hold a current and valid certification as a surgical assistant; prohibiting a health care facility from employing or contracting with a person who has not completed a nationally and programmatically accredited surgical technology program and who does not have the credential of certified surgical technologist; providing that certain persons are exempt from having a certification as a surgical assistant or surgical technologist; providing a definition; authorizing a person who completes a training program to become a surgical assistant or a surgical technologist before a specified date to continue to practice as a surgical assistant or surgical technologist for 1 year after completing such program; requiring the Agency for Health Care Administration to accept, in lieu of its own periodic inspections for licensure, the survey or inspection of an accrediting organization under certain circumstances; requiring the agency to adopt rules; amending s. 627.419, F.S.; requiring a health insurance policy, health care services plan, or other contract to provide for payment to a certified surgical assistant or to an employer of a certified surgical assistant if the policy, plan, or contract provides for payment for surgical first assisting benefits or services and reimbursement for a physician assistant is covered; providing that reimbursement to a certified surgical assistant is not required under certain circumstances; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Bullard and Thompson—

SB 362—A bill to be entitled An act relating to the use of deadly force; amending s. 776.013, F.S.; requiring an overt act to support a belief that the use of deadly force for specified purposes is necessary; defining the term “unlawful activity” for specified purposes; amending s. 776.032, F.S.; providing that immunity from civil and criminal liability for certain uses of deadly force does not apply to injuries to children and bystanders who are not affiliated with the overt act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Hays—

SB 364—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hukill—

SB 366—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for

the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing terms and the process for filling vacancies; specifying that any former poet laureate becomes a State Poet Laureate Emeritus or State Poet Laureate Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus and the State Poet Laureate Emerita shall serve without compensation; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education; and Rules.

By Senator Smith—

SB 368—A bill to be entitled An act relating to employment of felons; creating s. 220.197, F.S.; providing a tax credit for employment of a person previously convicted of a felony; providing requirements to receive the credit; providing exceptions for certain felons; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Sachs—

SB 370—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral

or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Policy; Judiciary; and Appropriations.

By Senator Latvala—

SB 372—A bill to be entitled An act relating to the Beverage Law; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business in vehicles owned or leased by the vendor's authorized employees; revising permit requirements for such vehicles; revising permit fees; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; providing an effective date.

—was referred to the Committees on Regulated Industries; Transportation; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Braynon and Sachs—

SB 374—A bill to be entitled An act relating to concealed weapons and firearms; amending s. 790.33, F.S.; creating an exception to the preemption of the regulation of firearms to the Legislature to allow a state agency or local government to prohibit the possession of a concealed firearm and ammunition at specified publicly sanctioned or sponsored events conducted in public buildings or at government-sponsored outdoor public venues; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 376—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Bean—

SB 378—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and related structures; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

—was referred to the Committees on Banking and Insurance; Regulated Industries; Appropriations; and Rules.

By Senator Brandes—

SB 380—A bill to be entitled An act relating to public assistance fraud investigations by the Department of Financial Services; amending s. 414.411, F.S., relating to department investigations of public assistance fraud; authorizing the department to administer oaths and affirmations and issue subpoenas; providing for court enforcement of subpoenas; providing an effective date.

—was referred to the Committees on Banking and Insurance; Children, Families, and Elder Affairs; Judiciary; and Rules.

SB 382—Withdrawn prior to introduction.

By Senator Abruzzo—

SB 384—A bill to be entitled An act relating to grandparent visitation rights; creating s. 752.011, F.S.; authorizing the grandparent of a minor child to petition a court for visitation under certain circumstances; providing a rebuttable presumption in favor of the minor child's parent; requiring a preliminary hearing on harm to the minor child resulting from denial of visitation; providing for the payment of attorney fees and costs by a petitioner who fails to make a prima facie showing of harm; authorizing appointment of a guardian ad litem and mediation after a prima facie showing of harm; providing for a psychological evaluation of the minor child if mediation fails; authorizing grandparent visitation if the court makes specified findings; requiring clear and convincing evidence of demonstrable significant mental or emotional harm to the minor child resulting from a denial of visitation; prohibiting grandparent visitation that materially harms the parent-child relationship; providing factors for court consideration in determining whether there is harm to the minor child or to the parent-child relationship; providing for application of the Uniform Child Custody Jurisdiction and Enforcement Act; encouraging the consolidation of certain concurrent actions; providing for modification of an order awarding grandparent visitation; limiting the frequency of actions seeking visitation; limiting application to a minor child placed for adoption; providing for application of sanctions for unsupported claims or defenses; providing for venue; amending s. 752.015, F.S.; conforming references; creating s. 752.071, F.S.; providing conditions under which a court may terminate a grandparent visitation order upon adoption of a minor child by a stepparent or close relative; amending s. 39.01, F.S.; revising the definition of "next of kin" to include great-grandparents for purposes of various proceedings relating to children; amending s. 39.509, F.S.; providing for visitation rights of great-grandparents; amending ss. 39.801 and 63.0425, F.S.; providing for a great-grandparent's right to notice of adoption; amending s. 63.172, F.S.; conforming provisions; repealing s. 752.01, F.S., relating to actions by a grandparent for visitation rights; repealing s. 752.07, F.S., relating to the effect of adoption of a child by a stepparent on grandparent visitation rights; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Rules.

By Senator Abruzzo—

SB 386—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 20.055, F.S.; requiring the corporation to have an inspector general; conforming a definition; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Accountability.

By Senator Soto—

SB 388—A bill to be entitled An act relating to elections; amending s. 97.0575, F.S.; revising provisions regulating third-party voter registration organizations; prescribing information that must be submitted to the Division of Elections before voter registration activities may be

conducted; providing that the failure to submit the required information does not subject an organization to civil or criminal penalties; deleting a provision that requires the delivery of voter registration applications within a specified time period; providing fines; providing for reduction and waiver of fines; providing for the investigation of violations and the enforcement of fines; providing for appropriation and use of collected fines; authorizing the division to adopt rules; amending s. 99.021, F.S.; revising the oath that a candidate must sign when seeking to qualify for nomination as a candidate of any political party; reducing the amount of time that a candidate must state that he or she has not been a registered member or candidate for nomination for any other political party before qualifying for office; amending s. 101.045, F.S.; permitting an elector to vote a regular ballot at the polling place in the precinct to which he or she has moved by completing an affirmation containing certain information; deleting a requirement that the elector's change of residence must occur within the same county for the elector to be able to vote in the new precinct; amending s. 101.161, F.S.; revising provisions relating to ballot statements; deleting a provision that authorizes the placement of the full text of a proposed constitutional amendment or revision on a ballot; requiring a court to remove a proposed amendment from the ballot once all ballot statements are determined to be defective and all other appeals are declined, abandoned, or exhausted; deleting authority granted to the Attorney General to revise a ballot title or ballot summary; deleting a court's authority to retain jurisdiction over certain ballot challenges; deleting a legal presumption for a ballot statement; amending s. 101.657, F.S.; revising provisions relating to early voting; expanding the list of available early voting sites; providing requirements for determining the number of early voting sites each county must operate; increasing the number of days and hours that early voting must be available; amending s. 102.168, F.S.; increasing the evidence that a circuit court may consider when reviewing a canvassing board's decision concerning the legality of an absentee ballot that involves an elector's signature; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; Judiciary; and Rules.

By Senator Dean—

SB 390—A bill to be entitled An act relating to veterans' organizations; defining the terms "business entity," "veteran," and "veterans' organization"; prohibiting a business entity from holding itself out as a veterans' organization under certain circumstances; providing for criminal penalties; authorizing an affected party to bring a civil action in a court of competent jurisdiction against the offending business entity; authorizing the court to impose a civil penalty of up to \$500 and payment of court costs and reasonable attorney fees; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Criminal Justice; Judiciary; and Rules.

By Senators Brandes and Bradley—

SB 392—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 1013.105, F.S.; providing legislative findings; encouraging each district school board to adopt written policies to promote public access to outdoor recreation and sports facilities on school property, to increase the number of joint-use agreements, and to develop and adopt policies and procedures for an appeal process if negotiations for a joint-use agreement fail; providing duties of district school boards and the Department of Education; creating s. 768.072, F.S.; providing immunity from liability for a district school board that adopts public access policies or enters into a joint-use agreement except in instances of gross negligence or intentional misconduct; providing application; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Judiciary.

By Senator Hays—

SB 394—A bill to be entitled An act relating to ticketholders' rights; creating s. 501.166, F.S.; declaring that an event or admission ticket purchased by an individual consumer is the consumer's personal property; providing that certain restrictions on the transfer or resale of event

or admission tickets are void; providing for applicability; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Rules.

By Senator Abruzzo—

SB 396—A bill to be entitled An act relating to the use of wireless communications devices or telephones by persons younger than 18 years of age while operating a motor vehicle; creating s. 316.3035, F.S.; prohibiting a person younger than 18 years of age from operating a motor vehicle while using a wireless communications device; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Judiciary.

By Senator Bean—

SB 398—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a physician assistant to execute all practice-related activities delegated by a supervisory physician unless expressly prohibited; deleting provisions to conform to changes made by the act; amending ss. 458.3475, 458.348, 459.023, and 459.025, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Judiciary.

By Senator Dean—

SB 400—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; increasing criminal penalties for a second or subsequent conviction of providing false information to a law enforcement officer concerning the alleged commission of a crime; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Joyner—

SB 402—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Rules.

By Senator Stargel—

SB 404—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors and purchasers only if recorded in a specified manner; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senators Gardiner and Benacquisto—

SB 406—A bill to be entitled An act relating to economic development; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included

in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

SB 408—Withdrawn prior to introduction.

By Senator Bean—

SB 410—A bill to be entitled An act relating to money services businesses; amending s. 560.103, F.S.; providing a definition; amending s. 560.309, F.S.; authorizing the Financial Services Commission to use a portion of the fees that licensees may charge for the direct costs of verification of payment instruments cashed for certain purposes; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized database; providing liability protection for licensees relying on database information; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

SB 412—Withdrawn prior to introduction.

SR 414—Not referenced.

By Senator Ring—

SB 416—A bill to be entitled An act relating to the inspection of licensed child care facilities; requiring that the Department of Children and Families or a local licensing agency give a copy of the inspection report to each parent whose child attends that licensed child care facility; requiring that the department or local licensing agency give a copy of the report, at no cost, to the parent within 72 hours after the report is completed and accepted by the department or local licensing agency; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Detert—

SB 418—A bill to be entitled An act relating to insurance; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Tourism.

By Senators Sachs, Joyner, and Soto—

SB 420—A bill to be entitled An act relating to sentencing for controlled substance violations; amending s. 893.135, F.S.; providing for an exception to mandatory minimum sentencing requirements for certain violators of specified controlled substance provisions; specifying criteria to qualify for an exception; providing criteria that may be considered by a court in departing for the mandatory minimum term of imprisonment; requiring a court to make certain statements if it departs from the mandatory minimum term of imprisonment; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senators Benacquisto, Hays, Bradley, Simpson, Bullard, Soto, Gibson, Detert, Ring, Clemens, Negron, Evers, Margolis, Abruzzo, Stargel, Thompson, Flores, Sobel, Hukill, Altman, Smith, Diaz de la Portilla, and Braynon—

SB 422—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Appropriations.

SB 424—Withdrawn prior to introduction.

SR 426—Not referenced.

By Senator Detert—

SB 428—A bill to be entitled An act relating to public school student participation in fine arts courses; amending s. 1008.34, F.S.; requiring annual reporting of participation in fine arts courses and compliance with standards for curricular content; revising the basis for the designation of school grades to include the participation rate of students who are enrolled in fine arts courses; correcting terminology; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

SR 430—Not referenced.

By Senator Altman—

SB 432—A bill to be entitled An act relating to tax exemptions; amending s. 212.08, F.S., relating to exemptions from the sales, rental, use, consumption, distribution, and storage tax; establishing a lower takeoff weight threshold for rotary wing aircraft qualifying for certain tax exemptions; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Altman—

SB 434—A bill to be entitled An act relating to community colleges; amending s. 1000.21, F.S.; revising the name of Brevard Community College; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Accountability.

By Senator Altman—

SB 436—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.112, F.S.; revising provisions relating to the terms of condominium board of administration members; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; revising voting requirements under certain conditions; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; revising voting requirements under certain condi-

tions; amending s. 720.303, F.S.; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a non-compliant or delinquent homeowners' association member and parcel owner; revising voting requirements under certain conditions; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Appropriations.

By Senator Altman—

SB 438—A bill to be entitled An act relating to memory disorder clinics; amending s. 430.502, F.S.; revising provisions for the establishment of memory disorder clinics in the state; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Simpson—

SB 440—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; authorizing the Agency for Health Care Administration to contract with certain organizations to provide services under the federal Program of All-inclusive Care for the Elderly in Citrus, Hernando, and Pasco Counties; providing an exemption from ch. 641, F.S., for the organizations; authorizing, subject to appropriation, enrollment slots for the program in such counties; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Thompson—

SB 442—A bill to be entitled An act relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment of commission members; providing for the reimbursement of per diem and travel expenses for commission members; authorizing the commission to establish or designate a direct-support organization for specified purposes; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Diaz de la Portilla—

SB 444—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; revising the measurement standard for the wastewater flow; revising the requirements for installation of a functioning reuse system by a utility that had a permit for a domestic wastewater facility on a specified date to discharge through ocean outfall; revising the definition of the term

“functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; requiring that the Department of Environmental Protection approve certain apportionment of reuse if a facility contracts with another facility to install a functioning reuse system; revising provisions authorizing the backup discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hukill—

SB 446—A bill to be entitled An act relating to the economic development incentive application process; amending s. 288.061, F.S.; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or non-renewal by a bonding or insurance company; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senators Dean and Simpson—

SB 448—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term “navigation rules” for purposes of provisions relating to vessels; amending s. 379.101, F.S.; revising the definition of the term “resident” or “resident of Florida” for purposes of provisions relating to recreational and nonrecreational activity licenses; providing for certain evidence of residence; revising the definition of the term “resident alien” to remove a county residency requirement; amending s. 379.353, F.S.; exempting individuals participating in certain outdoor recreational events from requirements for a hunting or fishing license or permit; amending s. 379.354, F.S.; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a salt-water products license; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Soto—

SB 450—A bill to be entitled An act relating to economic development; creating s. 220.1945, F.S.; providing definitions; providing tax credits for use by a corporation against the state corporate income tax in an amount equal to a specified percentage of the corporation’s payments to a small business providing goods or services to the corporation pursuant to a contract; providing qualification criteria; requiring a business to submit an application to the Department of Economic Opportunity for approval to earn credits; providing application requirements; providing procedures and requirements for department approval; specifying the amount of the tax credit; prohibiting tax credits from being carried forward or backward or being transferred or sold; providing criminal and administrative penalties for fraudulently claiming tax credits; authorizing the Department of Economic Opportunity and the Department of Revenue to adopt rules; amending s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include certain credits relating to a corporation’s execution of a business contract with a small business; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include the amount of such tax credits; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By the Committee on Health Policy—

SB 452—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public records requirements for personal identifying information of a donor held in the Joshua Abbott Organ and Tissue Registry; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Senator Benacquisto—

SB 454—A bill to be entitled An act relating to Florida College System police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System police officers; providing an effective date.

—was referred to the Committees on Education; and Criminal Justice.

By Senator Garcia—

SB 456—A bill to be entitled An act relating to foreign-trained medical professionals; amending s. 456.022, F.S.; prohibiting the Department of Health from issuing a license to, or renewing the license of, certain persons who travel to the Republic of Cuba to obtain medical training or a medical degree; providing an exemption; providing an effective date.

—was referred to the Committees on Health Policy; and Education.

By Senator Ring—

SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act; amending s. 175.091, F.S.; providing for an additional mandatory payment by the municipality or special fire control district to the firefighters’ pension trust fund; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising definitions; specifying a payment that must be made by the municipality or district to the defined benefit plan; revising how income from the premium tax and other revenues must be used; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act; deleting a provision allowing a local

law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.07, F.S.; providing for an additional mandatory payment by the municipality to the municipal police officers' retirement trust fund; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising definitions; specifying a payment that must be made by the municipality into the defined benefit plan; revising how income from the premium tax and other revenues must be used; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Appropriations.

By Senator Flores—

SB 460—A bill to be entitled An act relating to political party executive committee candidates; amending ss. 97.021 and 106.011, F.S.; revising the definition of the term “candidate” to include a candidate for a political party executive committee; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules.

By Senator Thompson—

SB 462—A bill to be entitled An act relating to death certificates; amending s. 28.222, F.S.; providing for a service charge for the recording of certain death certificates; amending s. 382.008, F.S.; requiring each permanent certificate of death or fetal death, excluding any information that is confidential and exempt from public records requirements, to be recorded in the public records of the county in which it is issued; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Flores—

SB 464—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.124, F.S.; authorizing the Department of Financial Services to adopt rules that allow an apparent owner of unclaimed property to submit a claim to the department electronically; providing for applicability with respect to specified property reported and remitted to the Chief Financial Officer; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Accountability.

By Senator Altman—

SB 466—A bill to be entitled An act relating to state lands; amending s. 253.42, F.S.; authorizing individuals and corporations to submit requests to the Board of Trustees of the Internal Improvement Trust Fund to exchange state-owned land for conservation easements over privately held land; providing criteria for consideration of such requests; encouraging certain operations on such lands; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hukill—

SB 468—A bill to be entitled An act relating to commercial insurance rates and forms; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation's approval process; requiring an informational filing to include a notarized certification from the insurer

and providing a statement that must be included in the certification; authorizing the office to impose sanctions for false certifications; requiring a Notice of Change in Policy Terms form to be filed with a changed renewal policy; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Judiciary.

By Senator Altman—

SB 470—A bill to be entitled An act relating to the Florida Birth-Related Neurological Injury Compensation Association; amending s. 766.303, F.S.; requiring the association to administer the Florida Birth-Related Neurological Injury Compensation Plan in a manner that promotes and protects the interests of children who have birth-related neurological injuries; amending s. 766.315, F.S.; revising the membership of the association board; revising the process for recommending new directors; authorizing the Governor or the Chief Financial Officer to remove a director from office for specified reasons; revising the powers of the directors; providing that meetings of the board of directors are subject to public meetings requirements; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Bean—

SB 472—A bill to be entitled An act relating to developmental disabilities; establishing the Developmental Disabilities Savings Program to allow for the advance payment of services for children who have developmental disabilities and who will be ineligible for certain services due to age; providing legislative intent; defining terms; requiring the program to provide certain information; providing that the program may not be implemented until certain legal opinions are obtained; establishing the Developmental Disabilities Savings Program Board to administer the savings program; providing for board membership; specifying the powers, duties, and goals of the board; authorizing the board to adopt rules; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Military Affairs, Space, and Domestic Security—

SB 474—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public records requirements for all identifying information of a donor or prospective donor to the direct-support organization of the Department of Veterans' Affairs, and an exemption from public meetings requirements for portions of meetings of the direct-support organization at which identifying information of a donor or prospective donor is discussed; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Senator Stargel—

SB 476—A bill to be entitled An act relating to American Founders' Month; providing a short title; creating s. 683.1455, F.S.; designating the month of September as “American Founders' Month”; authorizing the Governor to annually issue a proclamation designating the month and urging participation; amending s. 1003.44, F.S.; requiring district school boards to celebrate the American Founders and the principles inherent in the country's founding documents by observing American Founders' Month; providing guidelines for instruction; providing that instruction may be integrated into the existing school curriculum; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Flores—

SB 478—A bill to be entitled An act relating to the student assessment program for public schools; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-required assessments and publish the schedules on its website; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Stargel—

SB 480—A bill to be entitled An act relating to enterprise zones; creating s. 290.0079, F.S.; authorizing Polk County, the City of Auburndale, the City of Bartow, the City of Eagle Lake, the City of Fort Meade, the City of Frostproof, the City of Lake Wales, the City of Mulberry, and the City of Polk City to apply, individually or jointly, to the Department of Economic Opportunity for designation of a specified number of enterprise zones; providing application requirements; requiring the department to establish the effective dates of the enterprise zones; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Dean—

SB 482—A bill to be entitled An act relating to other-personal-services employment; defining the term “other-personal-services employee”; authorizing the governing body of a county to employ other-personal-services employees; providing conditions; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Appropriations.

By Senator Joyner—

SB 484—A bill to be entitled An act relating to state employee salaries; providing a short title; providing a competitive pay adjustment for state employees; requiring an appropriation; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Rules; and Appropriations.

By Senator Braynon—

SJR 486—A joint resolution proposing an amendment to Section 2 of Article I of the State Constitution, to protect the rights of all persons to acquire and possess real property.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Braynon—

SB 488—A bill to be entitled An act relating to Medicaid dental services; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to reimburse a health access setting operating as a Medicaid provider for dental services under certain conditions; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Stargel—

SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from application of part II of ch. 83, F.S., relating to residential tenancies; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising the requirements of landlord disclosure relating to deposit money and advance rent; authorizing the landlord or the landlord’s agent to disburse advance rent under certain circumstances; prohibiting the landlord from seeking a setoff against a security deposit, but authorizing the landlord to file an action, under certain circumstances; providing that a tenant who fails to make a timely objection to a landlord’s claim on a security deposit does not waive any right to a separate action; providing a limited rebuttable presumption of receipt of security deposits; providing that certain changes to disclosure requirements made by this act are conditional; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord’s obligation to maintain premises with respect to screens and to mobile homes or other structures owned by a tenant; amending s. 83.56, F.S.; authorizing a landlord to commence an eviction action without notice, under certain circumstances; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, under certain circumstances; providing that the period to institute an action before an exemption involving rent subsidies is waived begins within a specified period after actual knowledge of a noncompliance; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; requiring that a landlord be given an opportunity to cure a deficiency in any notice or pleading before dismissal of an eviction action, under certain circumstances; requiring that a tenant pay into the registry of the court the accrued rent if the tenant uses certain defenses in an action by a landlord for possession; amending s. 83.62, F.S.; providing that weekends and holidays do not stay the applicable notice period in an action by a landlord for possession, under certain circumstances; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; prohibiting a landlord from retaliating against a tenant for certain conducts; amending s. 723.063, F.S.; requiring that a mobile home park owner be given an opportunity to cure a deficiency in any notice or pleading before dismissal of an eviction action, under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Rules.

By Senator Hukill—

SB 492—A bill to be entitled An act relating to estates; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveat to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator’s date of death or the last four digits of the testator’s social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802,

736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Simpson—

SB 494—A bill to be entitled An act relating to community development block grants; amending s. 290.0411, F.S.; revising legislative intent; amending s. 290.402, F.S.; revising definitions; amending s. 290.044, F.S.; requiring the Department of Economic Opportunity to adopt a rule pertaining to the distribution of funds under the block grant program; requiring the department to define community development objectives in accordance with federal law and regulations; amending s. 290.0455, F.S.; requiring approved Section 108 loan applicants to enter into an agreement with the department; requiring the department to review all applications received from local governments; requiring that each application be deemed financially feasible by a loan underwriter approved by the department; allowing the department to submit applications to the United States Department of Housing and Urban Development under certain conditions; reducing the maximum amounts of loan guarantee commitments; removing requirement that the applicant's past performance must be evaluated; requiring that a local government's future community development block grant be reduced in the event of default; requiring a local government that has received a Section 108 loan through the Small Cities Community Block Grant Program but is granted entitlement community status to pledge its block grant allocation as guarantee to its previous loan and release the department as a guarantor; amending s. 290.046, F.S.; granting rulemaking authority to the department; allowing local governments to submit one grant application per funding cycle with the exception of economic development projects; providing criteria for applications for economic development grants; prohibiting the department from awarding a grant until a site visit has been completed; providing conditions for the ranking of grant applications; establishing procedures for citizen input and participation; amending s. 290.047, F.S.; granting rulemaking authority to the department; providing restrictions on the expenditure of block grant funds by local governments; amending s. 290.0475, F.S.; revising provisions relating to the rejection of grant applications; amending s. 290.048, F.S.; removing requirements pertaining to written descriptions of service areas; repealing a requirement for establishment of an advisory committee; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Dean—

SB 496—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with statewide authority to bear arms and perform official duties and apprehend without warrant under certain conditions; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Rules.

By Senator Thompson—

SB 498—A bill to be entitled An act relating to renewable energy producers; amending s. 366.02, F.S.; revising the definition of the term "public utility" to exclude certain producers of renewable energy; amending s. 366.91, F.S.; requiring public utilities to purchase electricity from renewable energy producers at a certain rate; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Rules.

By Senator Clemens—

SB 500—A bill to be entitled An act relating to massage establishments; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; providing legislative intent; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing penalties; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Health Policy; and Appropriations.

By Senator Diaz de la Portilla—

SB 502—A bill to be entitled An act relating to game promotion; amending s. 849.094, F.S.; adding and revising definitions; providing for the registration of electronic devices and computer terminals used to conduct electronic game promotions; prohibiting the Department of Agriculture and Consumer Services from accepting a filing from certain entities; establishing requirements for electronic game promotions; requiring certification of game promotion software; requiring that an operator of an electronic game production pay to the department an annual nonrefundable terminal fee per electronic device or computer terminal; requiring the department to remit the fees to the Department of Revenue for deposit into the General Revenue Fund; prohibiting certain conduct; limiting the applicability of the act; authorizing a county or municipality to adopt an ordinance, code, plan, rule, resolution, or other measure to regulate an operator that provides electronic devices or computer terminals for electronic game promotion or to prohibit the future operation of game promotions; providing an effective date.

—was referred to the Committees on Gaming; Regulated Industries; Agriculture; and Appropriations.

By Senators Brandes and Gardiner—

SB 504—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; amending s. 828.122, F.S.; specifying certain equipment and paraphernalia that are illegal to own, possess, or sell for use in animal fighting or baiting; providing criminal penalties; providing factors that may be used in determining whether an object is animal-fighting or animal-baiting paraphernalia; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term "racketeering activity" for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Joyner—

SB 506—A bill to be entitled An act relating to the administration of county and municipal delinquency programs and facilities; amending s. 985.688, F.S.; removing the criteria for determining whether a county was in compliance with specified policies and procedures relating to administering county and municipal juvenile programs and facilities; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Rules.

By Senator Thompson—

SB 508—A bill to be entitled An act relating to the termination of gas or electric service; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day, or on the following 2 calendar days, during which the National Weather Service forecasts extreme temperatures in the area of the utility in which the senior citizen or low-income family resides; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day preceding a holiday or weekend during which the National Weather Service forecasts extreme temperatures in the area of the utility in which the senior citizen or low-income family resides; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Children, Families, and Elder Affairs.

By Senator Legg—

SB 510—A bill to be entitled An act relating to health insurance; amending ss. 627.6471 and 641.31, F.S.; requiring health insurers and health maintenance organizations to allow an insured to continue to use the services of preferred providers or network providers on the list of preferred providers or network providers at the time of the insured's enrollment for a minimum period of time; requiring health maintenance organizations to provide subscribers with a current list of network providers and make the list available for public inspection at certain times and places; requiring health insurers and health maintenance organizations to pay certain providers who have been terminated from a panel for health services provided to insureds under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Clemens—

SJR 512—A joint resolution proposing an amendment to Section 3 of Article III and the creation of Section 34 of Article XII of the State Constitution, relating to sessions of the Legislature, to change the date of convening and the length of regular sessions of the Legislature and to remove the requirement that the Legislature meet in organization sessions.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Sobel—

SB 514—A bill to be entitled An act relating to public school safety; providing a short title; authorizing each county to create an independent special district by ordinance to provide funding for public school security and mental health services; requiring elector approval to annually levy ad valorem taxes; requiring the district to comply with statutory requirements related to levying and fixing millage and filing financial or compliance reports; providing for the dissolution of the district; requiring the governing body of the county to periodically submit to the electorate the question of retention or dissolution of the district; creating a governing council for the district; basing the size of the council on the population of the county; specifying criteria for council membership; providing terms of office; requiring the council to appoint a chair and vice chair and elect other officers; providing procedures for filling a vacancy on the council; requiring council members to serve without compensation; requiring members to follow certain financial disclosure, noticing, and reporting procedures; specifying the powers and functions of the council; authorizing two or more districts to enter into cooperative agreements; requiring the district to provide an annual report to the school board and county governing body; providing for the content of the report; requiring the council to prepare a tentative annual budget and compute a millage rate to fund the district; requiring that all tax moneys collected be paid directly to the council by the county tax collector and be deposited in qualified public depositories; requiring certain members to file a surety bond; specifying expenditures of funds; requiring the council to prepare and file quarterly financial reports with the county governing

body; prohibiting the council from requiring certain matching funds; providing that all district financial records be subject to audit; providing legislative intent with respect to the use of funds collected by the council; providing an effective date.

—was referred to the Committees on Education; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Thompson—

SB 516—A bill to be entitled An act relating to residential tenancies; creating s. 83.675, F.S.; requiring the owner of a residential property that is in foreclosure proceedings or for which mortgage payments are in arrears for a specified period to provide notice to tenants within a specified period; providing criminal penalties; providing that for properties with multiple dwelling units, a failure to comply with requirements as to each separate unit constitutes a separate offense; prohibiting a person from knowingly leasing such residential property unless the tenant signs a notarized statement containing certain waivers; providing for the contents and form of the statement; requiring the landlord to provide a copy of the statement to the mortgage holder; providing that leases which violate the notice requirements are presumed fraudulent and voidable within a specified period; providing requirements for a landlord to overcome such presumption; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Hukill—

SB 518—A bill to be entitled An act relating to economic business incentives; amending s. 212.08, F.S.; revising the sales tax exemption from the sales tax for certain business purchases of industrial machinery and equipment and spaceport activities; deleting certain limitations on, and procedural requirements relating to, the exemption; conforming cross-references; amending s. 288.1045, F.S.; deleting the limitation on the maximum amount of tax refunds a business may receive under the qualified defense contractor and space flight business tax refund program; amending s. 288.106, F.S.; deleting the limitation on the maximum amount of tax refunds a business may receive under the tax refund program for qualified target industry businesses; amending s. 288.1089, F.S.; revising requirements relating to the review, approval, and award of funds under the Innovation Incentive Program; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Bradley—

SB 520—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting a requirement that emergency medical technicians, paramedics, and 911 public safety telecommunications complete an educational course on HIV and AIDS; amending s. 401.23, F.S.; redefining the terms "basic life support" and "advanced life support" for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; revising the period for review of the comprehensive state plan for emergency medical services and programs; amending s. 401.27, F.S.; revising requirements for the certification and recertification of emergency medical technicians and paramedics; revising requirements for the certification of emergency medical technicians and paramedics trained outside the state; revising the time limit by which applicants trained outside the state must complete the certification examination without having to submit a new application and meet all eligibility and fee requirements; amending s. 401.2701, F.S.; revising requirements for institutions that conduct approved programs for the education of emergency medical technicians and paramedics; revising requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; and Appropriations.

By Senator Bradley—

SB 522—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts manufacturing biodiesel fuel for internal use from certain reporting, bonding, and licensing requirements applicable to biodiesel manufacturers; amending s. 206.874, F.S.; requiring such entities to pay a tax on such biodiesel fuel; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Thompson—

SB 524—A bill to be entitled An act relating to the Common Core State Standards; requiring the standards adopted by the State Board of Education to be implemented and assessed in the public schools beginning in the 2016-2017 school year; requiring implementation and assessment of the standards to be phased in and aligned with current accountability measures; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 526—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; revising student eligibility requirements for receipt of a Florida Medallion Scholars award with respect to national examination scores; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simpson—

SB 528—A bill to be entitled An act relating to the Community Planning Act; amending s. 163.3167, F.S.; authorizing a local government to retain an existing initiative or referendum process relating to a local comprehensive plan amendment or map amendment in certain circumstances; providing legislative intent; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Commerce and Tourism; and Rules.

By Senator Thrasher—

SB 530—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the “Florida Arbitration Code” to the “Revised Florida Arbitration Code”; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration

hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term “court” and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the re-

vised code does not apply to any dispute involving child custody, visitation, or child support; amending ss. 440.1926, 489.1402, and 731.401, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

By Senator Clemens—

SB 532—A bill to be entitled An act relating to discrimination in employment; creating s. 760.105, F.S.; providing legislative findings; prohibiting an employer, municipality, or county from inquiring into or considering an applicant’s criminal history or to include any inquiry about criminal history on any initial employment application; providing that an employer, municipality, or county may consider an applicant’s criminal history after the applicant’s qualifications have been screened and the employer, municipality, or county has determined the applicant meets the minimum employment requirements; providing applicability; providing that the act does not require that an employer, municipality, or county conduct a criminal history background check; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Rules.

By Senator Brandes—

SB 534—A bill to be entitled An act relating to publicly-funded defined benefit retirement plans; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services and specifying the assumptions and methods to be used in determining the information submitted; requiring the plan sponsor to make the information available on certain websites; providing a time certain for submission of the information; providing consequences for failure to submit the required information; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Appropriations.

By Senator Detert—

SB 536—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing physical therapists to implement physical therapy treatment plans of a specified duration which are provided by advanced registered nurse practitioners; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Rules.

By Senators Ring and Negron—

SB 538—A bill to be entitled An act relating to special districts; creating s. 189.414, F.S.; requiring public facilities projects of independent special districts with taxing authority to be approved by the appropriate local general-purpose government; requiring a local government representative to serve as an ex officio, nonvoting member of the district; providing exemptions; amending s. 189.415, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Dean—

SB 540—A bill to be entitled An act relating to mandatory supervision of specified offenders by the Department of Corrections; providing legislative findings; amending s. 944.291, F.S.; requiring that persons convicted on or after a specified date of crimes in specified categories be released only under mandatory supervision; amending s. 947.1405, F.S.; renaming the conditional release program as the “mandatory super-

vised program”; amending ss. 20.316, 216.136, 394.926, 394.927, 775.084, 775.16, 775.21, 775.261, 893.11, 943.0435, 943.325, 944.171, 944.28, 944.606, 944.607, 944.608, 944.70, 945.36, 947.071, 947.13, 947.141, 947.16, 947.22, 947.24, 948.09, 948.32, and 957.06, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Braynon—

SB 542—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for certain criminal intelligence information and criminal investigative information that might reveal the identity of a person who is a victim of human trafficking or a photograph, videotape, or image of any part of the body of the victim of human trafficking; amending s. 794.024, F.S.; prohibiting a public employee or officer who has access to identifying information of a person who is alleged to be the victim of human trafficking from willfully and knowingly disclosing the information to a person who is not assisting in the investigation or prosecution of the alleged offense; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenses, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing for review and repeal; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Braynon—

SB 544—A bill to be entitled An act relating to exemption from legislative lobbying requirements; amending s. 11.045, F.S.; revising the term “expenditure” to not include the use of a public facility or public property that is made available by one governmental entity to another governmental entity for a public purpose, to exempt such government-to-government use from legislative lobbying requirements; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Senator Ring—

SB 546—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute’s reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; providing for certain administrative costs of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Detert—

SB 548—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.814, F.S.; requiring certain children applying

for eligibility for a component of Kidcare to be offered the opportunity to be made presumptively eligible for the Kidcare program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Simpson—

SB 550—A bill to be entitled An act relating to worthless checks, drafts, or orders of payment; amending s. 68.065, F.S.; permitting recovery of worthless checks, drafts, or orders of payment without the sending of a specified written demand if the payee has a specified notice posted at the point of sale or on an invoice; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

By Senator Braynon—

SB 552—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; revising the definition of the term “sexual abuse of a child”; amending s. 92.54, F.S.; authorizing the court to order that the testimony of a child younger than 18 years of age who is a victim or witness be taken outside the courtroom and shown by means of closed circuit television; amending s. 92.56, F.S.; authorizing the state to use a pseudonym instead of the victim’s name to designate the victim of human trafficking; reenacting s. 847.01357(3), F.S., relating to exploited children’s civil remedy, to incorporate the amendment made to s. 92.56, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Judiciary.

By Senator Altman—

SB 554—A bill to be entitled An act relating to brownfield areas; amending s. 212.08, F.S.; modifying definitions; amending s. 376.78, F.S.; identifying areas in which brownfield redevelopment may be especially effective; amending s. 376.80, F.S.; requiring a local government to comply with certain provisions when designating brownfield areas; providing procedures for adopting a resolution; providing that a property owner may request that his or her property be removed from the proposed designation before adoption of a resolution; providing notification requirements and procedures for public notice; requiring a local government to designate a brownfield area if certain criteria are met; amending s. 376.82, F.S.; narrowing the liability of a person who successfully completes a brownfield site rehabilitation agreement; providing for retroactive application; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Ring—

SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 57.081, F.S.; clarifying that, with the exception of charges for issuance of a summons, the prepayment of costs is not required upon a certification of indigence; amending s. 57.082, F.S.; providing for the inclusion of certain filing fees in payment plans; amending s. 101.151, F.S.; clarifying when the office title “Clerk of the Circuit

Court and Comptroller” may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange; amending s. 197.502, F.S.; providing for the payment of fees for initial and subsequent title searches and specifying that they must be added to the opening bid; specifying that the opening bid on an individual certificate must include accrued delinquent taxes; specifying that the opening bid on a county-held or individual certificate must include interest and costs related to service of notice; authorizing the clerk to collect from the certificateholder all amounts included in the opening bid before the sale, subject to certain exceptions; providing for the accrual of interest and for calculation of the opening bid for individual certificates placed on the list of lands available for taxes; deleting a requirement that fees collected be refunded to the certificateholder if a tax deed sale is canceled; making technical changes; amending s. 197.542, F.S.; specifying the bid process for tax deed sales at public auction; providing for the accrual of interest and calculation of the opening bid; requiring the clerk to notify the certificateholder of any amounts that must be paid; requiring the certificateholder to remit payment within a specified time; authorizing the clerk to issue a refund to the depositor if a property is redeemed before the clerk receives full payment for the issuance of a tax deed; providing for cancellation of a tax deed application within a specified timeframe; amending s. 197.582, F.S.; providing a procedure for the disbursement of proceeds from a tax deed sale if delinquent or current taxes are due; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Detert—

SB 558—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

By Senators Simpson, Bean, Bradley, Stargel, Latvala, Grimsley, Evers, Soto, Ring, Gibson, Hays, Lee, and Altman—

SB 560—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for alternative fuel powered motor vehicles; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; conforming a cross-reference; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the department to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; terminating the Local Alternative Fuel User Fee Clearing Trust Fund within the Department of Revenue; prescribing procedures for the termination of the trust fund; creating s. 206.9975, F.S.; establishing the Natural Gas Fuel Vehicle Investment Program; providing for funding of the program; authorizing the Department of Agriculture and Consumer Services to initiate rulemaking by a specified date; providing a repeal date; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; conforming a cross-reference; providing effective dates.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Hukill—

SB 562—A bill to be entitled An act relating to tax-exempt income; amending s. 220.14, F.S.; revising the amount of income that is exempt from the corporate income tax; amending s. 220.63, F.S.; revising the amount of income that is exempt from the franchise tax imposed on banks and savings associations; providing for applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

By Senator Simmons—

SB 564—A bill to be entitled An act relating to neighborhood improvement districts; amending ss. 163.2511, 163.2517, 163.3182, 163.3246, and 163.387, F.S.; conforming provisions to changes made by the act; amending s. 163.501, F.S.; renaming the “Safe Neighborhoods Act” as the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising and deleting definitions; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood improvement districts; amending s. 163.5055, F.S.; deleting the requirement that each neighborhood improvement district authorized under law notify the Department of Legal Affairs of its existence; removing the requirement that a local governing body notify the Department of Legal Affairs of a dissolution of a district; deleting an obsolete provision; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district by the enactment of an ordinance; specifying that the ordinance may authorize the improvement district to borrow money, contract loans, and issue bonds or other evidence of indebtedness; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district; authorizing the district to make and collect special assessments; conditioning the exercise of power by the local government neighborhood improvement district to borrow money, contract loans, issue bonds, charge, collect, and enforce fees, make and collect special assessments, and levy ad valorem taxes upon real and tangible personal property within the district upon the approval of a referendum by the freeholders of the district; providing ballot requirements; removing provisions allowing an alternative organization for the board of directors; revising requirements for dissolving a district; amending s. 163.508, F.S., relating to property owners’ association neighborhood improvement districts; revising the requirements for creating a property owners’ association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants; requiring that the property owners form an association or use an existing property owners’ association that is a not-for-profit corporation; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; revising the powers of neighborhood improvement districts; authorizing the district to contract with legal counsel and other needed professionals; authorizing the district to improve, plan, design, construct, operate, provide, and maintain certain facilities; authorizing the district to collect special assessments under certain circumstances and following implementation of designated procedures; amending s. 163.5151, F.S.; requiring a local government and a special neighborhood improvement district levying an ad valorem tax on real or personal property to prepare a budget in a specified manner; amending s. 163.516, F.S.; requiring that neighborhood improvement plans be created for each improvement district; re-

vising the contents of the neighborhood improvement plan; conforming provisions to changes made by the act; repealing s. 163.517, F.S., relating to the Safe Neighborhoods Program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs relating to neighborhood improvement districts; repealing s. 163.521, F.S., relating to funding for a neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of existing laws relating to neighborhood improvement districts; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to cooperation and involvement of community organizations in the creation of safe neighborhood improvement districts; repealing s. 163.524, F.S., relating to participation in the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to powers and duties of the Neighborhood Councils and the designated agency of the local government; amending ss. 376.84, 775.083, and 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Detert—

SB 566—A bill to be entitled An act relating to security of protected consumer information; creating s. 501.0051, F.S.; providing definitions; authorizing the representative of a protected consumer to place a security freeze on the protected consumer’s consumer record; requiring a consumer reporting agency to establish a record if the protected consumer does not have an existing consumer report; requiring a consumer reporting agency to provide written confirmation of a security freeze within a specified period; prohibiting a consumer reporting agency from stating or implying that a security freeze reflects a negative credit history or rating; requiring a consumer reporting agency to remove a security freeze under specified conditions; providing for applicability; authorizing a consumer reporting agency to charge a fee for placing or removing a security freeze and for reissuing personal identification information; prohibiting a fee under certain circumstances; requiring written notification to change specified information in a protected consumer’s record; providing exemptions; requiring a consumer reporting agency to notify a representative and provide specified information if the consumer reporting agency violates a security freeze; providing penalties and civil remedies; amending s. 501.005, F.S.; revising written disclosure requirements for consumer reporting agencies pertaining to consumer rights associated with a security freeze; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

SR 568—Not referenced.

By Senators Bradley and Simmons—

SJR 570—A joint resolution proposing an amendment to Section 8 of Article V and the creation of a new section to Article XII of the State Constitution to increase the age after which a justice or judge may no longer serve in a judicial office, to provide for the amendment to apply to justices and judges appointed on or after a specified date, and to provide an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations; and Rules.

By Senator Sobel—

SB 572—A bill to be entitled An act relating to reporting requirements for economic development programs; creating s. 288.076, F.S.; providing definitions; requiring the Department of Economic Opportunity to publish on a website specified information concerning state investment in economic development programs; providing procedures and requirements for reviewing, updating, and supplementing the published information; requiring the department to publish at specified dates twice per year a timeline demonstrating the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential

information pertaining to beneficiary businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; requiring the department to provide beneficiary businesses with the opportunity to delay publication of information; providing penalties; providing for construction and legislative intent; requiring the Office of Economic and Demographic Research to annually establish a methodology and formulas for specified calculations to be performed by the department; authorizing the department to adopt rules; amending s. 288.075, F.S.; limiting applicability of an exemption from public records requirements to allow an economic development agency to disclose certain information pertaining to taxes paid by businesses participating in economic incentive programs; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Sachs—

SB 574—A bill to be entitled An act relating to enterprise zones; creating s. 290.0079, F.S.; authorizing the City of Delray Beach to apply to the Department of Economic Opportunity for designation of an enterprise zone; providing an application deadline and requirements for the area of the enterprise zone; requiring the department to establish the effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

SR 576—Not referenced.

By Senator Clemens—

SB 578—A bill to be entitled An act relating to public construction projects; amending s. 255.20, F.S.; requiring state agencies to specify certain products associated with public works projects; amending s. 255.2575, F.S.; prohibiting state agencies from excluding the use of certain building rating systems, building codes, or published supplements for certain construction and renovation projects; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hays—

SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 720.303, F.S.; providing for association members to take photographs or images of association records without charge in certain circumstances; decreasing the amount of time an association has to comply with access to the records; clarifying provisions relating to fees that an association may charge for providing copies of records; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members, or that they have completed an educational course approved by the department; providing that the certificate is valid while the director is on the board; providing penalties for failure to file a written certification or educational certificate; requiring the secretary to retain each written certification or educational certificate for 5 years; providing procedures to be followed which relate to contracts or transactions between the association and a director or entity in which a director or officer is financially interested; providing for disclosure of the contract or other transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any officer, director, or association manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association; providing a penalty; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds

or property; providing for the reinstatement of such person under certain circumstances; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Rules.

By Senator Galvano—

SB 582—A bill to be entitled An act relating to manufacturing development; creating s. 288.1101, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 288.1102, F.S.; providing definitions; creating s. 288.1103, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 288.1104, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring a manufacturer to file certain documents; requiring the department to convene a meeting when requested by a certain manufacturer; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; authorizing the department to adopt rules; creating s. 288.1105, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring the department and other entities to distribute such material; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senators Hays and Evers—

SB 584—A bill to be entitled An act relating to the purchase of land by a governmental entity; limiting the state, a county, or a municipality's ability to purchase land for conservation purposes; providing criteria; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Judiciary; and Appropriations.

By Senator Joyner—

SB 586—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definition of the term "Pension Credit"; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senators Brandes and Richter—

SB 588—A bill to be entitled An act relating to the lease of sovereignty submerged lands for private docks; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Joyner—

SB 590—A bill to be entitled An act relating to fees and costs incurred in guardianship proceedings; amending s. 744.108, F.S.; providing that fees and costs incurred by an attorney who has rendered services to a ward in compensation proceedings are payable from guardianship assets; providing that expert testimony is unnecessary in proceedings to determine compensation for an attorney or guardian; amending s. 744.3025, F.S.; providing that a court may appoint a guardian ad litem to a minor if necessary to protect the minor's interests in a settlement; providing that a settlement of a minor's claim is subject to certain confidentiality provisions; amending s. 744.331, F.S.; directing that the examining committee be paid from state funds as court-appointed expert witnesses if a petition for incapacity is dismissed; requiring that a petitioner reimburse the state for expert witness fees if the court finds the petition to have been filed in bad faith; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Galvano—

SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising "Notice to Defendant" provided by clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption to plaintiff or garnishee's attorney; extending time for plaintiff to respond to defendant's claim of exemption and request for hearing; requiring defendant to certify under oath and penalty of perjury that he or she provided notice of exemption claim and request for hearing to plaintiff, garnishee, or their respective attorneys; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

—was referred to the Committees on Judiciary; and Commerce and Tourism.

By Senator Bean—

SB 594—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 400.9905, F.S.; clarifying provisions to exempt certain clinics that receive reimbursement under the Florida Motor Vehicle No-Fault Law from licensure requirements in this state if they hold specific federal certification; extending the exemption to clinics that are owned by certain entities; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Rules.

By Senator Hays—

SB 596—A bill to be entitled An act relating to homeowners' associations; amending s. 20.165, F.S.; renaming the Division of Florida Condominiums, Timeshares, and Mobile Homes in the Department of Business and Professional Regulation to the Division of Florida Condominiums, Homeowners' Associations, Timeshares, and Mobile Homes; amending s. 718.509, F.S.; renaming and revising the Florida Condominiums, Timeshares, and Mobile Homes to include moneys collected under ch. 720, F.S., relating to homeowners' associations and to allow funds to remain in the trust fund at the end of the fiscal year; amending s. 720.301, F.S.; revising the definition of "division"; amending s. 720.302, F.S.; revising legislative intent with respect to the regulation of homeowners' associations; creating s. 720.3021, F.S.; providing the division's duties with respect to homeowners' associations; authorizing the division to adopt a seal; requiring the division to submit an annual report to the Governor and Legislature; authorizing the department to adopt rules; creating s. 720.3022, F.S.; requiring the department to investigate complaints and providing a timetable for responding to such complaints; authorizing the department to conduct investigations and providing requirements for such investigations; providing for service of process; requiring the department to adopt penalty guidelines by rule and providing the parameters for such guidelines; creating s. 720.3023, F.S.; requiring all moneys collected by the division relating to the regulation of homeowners' associations to be deposited into the Florida

Condominiums, Homeowners' Association, Timeshares, and Mobile Homes Trust Fund; creating s. 720.3024, F.S.; creating the Office of Community Association Ombudsman; providing for appointment by the Governor; providing powers and duties; creating s. 720.3025, F.S.; creating the Community Association Living Study Council; providing for term and membership; providing council functions; creating s. 720.3029, F.S.; imposing a fee on certain homeowners' associations; providing for the deposit and use of such fees; amending s. 720.306, F.S.; revising provisions relating to member meetings, proxy voting, and elections and board meetings, amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; requiring the governing documents of an association to be approved by the parcel owners upon transference of authority from the developer to the owners; amending s. 720.3085, F.S.; providing procedures and timeframes for the payment of unpaid assessments into a court registry pending a court hearing; amending ss. 73.073, 192.037, 213.053, 326.002, 326.006, 380.0651, 455.116, 475.455, 509.512, 718.103, 718.105, 718.1255, 718.501, 718.5011, 718.502, 718.503, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 723.003, 723.006, 723.009, and 723.0611, F.S.; conforming terms to changes made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Margolis—

SB 598—A bill to be entitled An act relating to virtual instruction courses for students with disabilities; amending s. 1002.45, F.S.; requiring that each virtual instruction program provide virtual courses in accessible formats for students with disabilities which are compatible with assistive technology products and assistive listening systems; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Latvala—

SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 101.161, F.S.; revising what constitutes a ballot summary; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.64, F.S.; revising the requirements of the voter's certificate accompanying an absentee ballot; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.68, F.S.; revising what a canvassing board may consider an illegal absentee ballot; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Senator Hukill—

SB 602—A bill to be entitled An act relating to local bids and contracts for public construction works; amending s. 255.20, F.S.; eliminating specified conditions under which a local government is exempt from the requirement to competitively award contracts; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Rules.

By Senator Bean—

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; reorganizing provisions relating to license fees for certain practitioners; amending s. 456.076, F.S.; providing that the Department of Financial Services shall defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of impaired practitioners; amending s. 893.055, F.S.; defining the term “impaired practitioner consultant”; providing that impaired practitioner consultants retained by the Department of Health have access to information in the prescription drug monitoring program’s database in certain circumstances; amending s. 893.0551, F.S.; defining the term “impaired practitioner consultant”; allowing impaired practitioner consultants access to certain confidential information in the prescription drug monitoring program’s database when necessary to evaluate or monitor a practitioner as part of a treatment program for impaired practitioners; providing an effective date.

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

By Senators Gibson, Thrasher, Bradley, and Bean—

SB 606—A bill to be entitled An act relating to the Northeast Florida Regional Transportation Commission; providing a directive to the Division of Law Revision and Information; creating s. 343.1001, F.S.; providing a short title; creating s. 343.1002, F.S.; providing definitions; creating s. 343.1003, F.S.; creating the Northeast Florida Regional Transportation Commission; providing for a nine-member commission board; providing for board appointment; providing for staffing; providing for member removal; providing liability protection for members; creating s. 343.1004, F.S.; providing commission powers and duties; prohibiting the commission from pledging the state’s credit; creating s. 343.1005, F.S.; providing for transportation projects of regional significance; specifying the characteristics for such projects; creating s. 343.1006, F.S.; requiring commission plans and planning activity to be coordinated with other specified entities; creating s. 343.1007, F.S.; authorizing the commission to acquire property; creating s. 343.1008, F.S.; authorizing other governmental units and the commission to contract with each other; creating s. 343.1009, F.S.; exempting the commission from taxes or assessments; creating s. 343.1010, F.S.; specifying that the powers of the commission are supplemental to other laws; creating s. 343.1011, F.S.; providing for public meetings and hearings; creating s. 343.1012, F.S.; specifying that the commission is not an authority for purposes of specified provisions relating to a discretionary tax; creating s. 343.1013, F.S.; providing for repeal; amending s. 120.52, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Governmental Oversight and Accountability.

By Senator Brandes—

SB 608—A bill to be entitled An act relating to library innovation; establishing the Florida Innovative Libraries Grant; providing minimum criteria for grant eligibility; establishing report requirements; providing for disposition of digital files; creating the Statewide Innovative Libraries Task Force; establishing the purpose and composition of the task force; establishing duties for the task force; providing for future repeal unless reviewed and reenacted by the Legislature; providing for an appropriation; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Joyner—

SB 610—A bill to be entitled An act relating to public records; amending s. 744.3701, F.S.; creating an exemption from public records requirements for records relating to the settlement of a claim on behalf of a minor or ward; authorizing a guardian ad litem, a ward, a minor, and a minor’s attorney to inspect guardianship reports and court records relating to the settlement of a claim on behalf of a minor or ward, upon a

showing of good cause; authorizing the court to direct disclosure and recording of an amendment to a report or court records relating to the settlement of a claim on behalf of a ward or minor, in connection with real property or for other purposes; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Galvano—

SB 612—A bill to be entitled An act relating to health care practitioners; amending s. 456.072, F.S.; requiring that certain health care practitioners make specified disclosures when presenting themselves as “Doctor” or “Dr.”; creating s. 456.0675, F.S.; providing criminal penalties for violations if there is an intent to mislead; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Garcia—

SB 614—A bill to be entitled An act relating to vision screening of preschool students; amending s. 381.0056, F.S.; providing a definition; requiring district school boards to conduct vision screenings on students entering prekindergarten or kindergarten; requiring comprehensive eye examinations of students who fail to pass the vision screenings; requiring licensed optometrists and ophthalmologists to submit examination results to school health personnel and the student’s parent or guardian; authorizing the Department of Health, in cooperation with the Department of Education, to adopt rules necessary to implement the vision screening requirements; providing an effective date.

—was referred to the Committees on Education; Health Policy; Appropriations Subcommittee on Education; and Appropriations.

By Senator Bean—

SB 616—A bill to be entitled An act relating to certification of assisted living facility administrators; amending s. 429.178, F.S.; conforming provisions to changes made by the act; amending s. 429.52, F.S.; requiring assisted living facility administrators to meet the training and education requirements established by a third-party credentialing entity; revising requirements for new administrators; authorizing the Department of Elderly Affairs to require additional training or education of any personal care staff in the facility except an administrator; authorizing the department to adopt rules to establish staff training requirements; providing for the future repeal of s. 429.52(2), (3), (4), (8), (9), and (10), F.S., relating to training and educational requirements for administrators and assisted living facility staff, continuing education, adoption of rules, trainers, and requirements for trainers; creating s. 429.55, F.S.; providing legislative intent; providing definitions; requiring the department to approve third-party credentialing entities for the purpose of developing and administering a professional credentialing program for assisted living facility administrators; requiring the department to approve a third-party credentialing entity that documents compliance with certain minimum standards; requiring a third-party credentialing entity that applies for department approval before a specified date to have its assisted living facility administrator certification program accredited with the National Commission for Certifying Agencies; requiring an administrator to be certified by a third-party credentialing entity; providing that an administrator who fails to be certified is subject to an administrative fine; providing an exemption for an administrator licensed under part II of ch. 468, F.S.; requiring an approved third-party credentialing entity to establish a process for certifying persons who meet certain qualifications; requiring an approved third-party credentialing entity to establish the core competencies for administrators according to the standards set forth by the National Commission for Certifying Agencies; requiring a third-party credentialing entity to meet certain certification requirements; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Rules.

By Senator Ring—

SB 618—A bill to be entitled An act relating to gasoline stations; amending s. 526.141, F.S.; providing requirements for accessibility for disabled persons at gasoline stations; requiring certain signage at each self-service gasoline pump; providing for size and content of the signs; requiring an attendant to provide refueling assistance to a person with a permit or license plate issued under specified provisions; providing for exceptions; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and Rules.

By Senator Ring—

SB 620—A bill to be entitled An act relating to the surcharge on cigarettes; providing a short title; amending s. 210.011, F.S.; increasing the surcharge rates applicable to packages of cigarettes containing various quantities of cigarettes of specified weights and lengths; establishing a separate fee rollback account in a specified trust fund; requiring specified amounts of the surcharge on packages of cigarettes to be deposited in such separate fee rollback account; providing requirements and procedures with respect to the Legislature’s anticipated use of such funds exclusively to incrementally roll back certain fee increases previously enacted; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

By Senator Bullard—

SB 622—A bill to be entitled An act relating to the use of deadly force in defense of a person; repealing s. 776.013, F.S., relating to home protection and the use of deadly force, which created a presumption of fear of death or great bodily harm in certain circumstances and provided that there is no duty to retreat and a person has the right to stand one’s ground and meet force with force in certain circumstances; amending ss. 776.012, 776.032, and 790.15, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senators Bullard and Soto—

SB 624—A bill to be entitled An act relating to postsecondary student tuition; amending s. 1009.21, F.S.; providing an additional category of nonresident persons exempt from paying nonresident tuition at a state university or Florida College System institution; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Bullard—

SB 626—A bill to be entitled An act relating to bullying in the public school system; amending s. 1006.147, F.S.; revising provisions prohibiting bullying or harassment of a student or school employee through the use of computer-related activities; prohibiting bullying through the use of data or computer software that is accessed at a nonschool-related location or activity if certain conditions are met; providing that bullying includes cyberbullying; revising the list of behaviors that indicate possible bullying; defining the terms “cyberbullying” and “within the scope of a public K-12 educational institution”; requiring that each school district include in its districtwide policy instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action; requiring that any complaint of a computer-related incident be investigated by a school district official using a computer on which web-filtering software is not installed; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Rules.

By Senator Joyner—

SB 628—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was referred to the Committees on Judiciary; Transportation; and Rules.

By Senator Clemens—

SB 630—A bill to be entitled An act relating to regulation of summer camps; amending s. 409.175, F.S.; providing that Department of Children and Families license requirements apply to summer day camps and summer 24-hour camps; creating s. 409.1756, F.S.; providing purpose; prohibiting a governmental agency from regulating the religious curriculum of a summer day camp or summer 24-hour camp; providing an exception; providing definitions; providing procedure for application for a license to operate a summer day camp or summer 24-hour camp; providing screening requirements for camp personnel; providing duties of the department; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Rules.

By Senator Soto—

SB 632—A bill to be entitled An act relating to the Florida Wildflower license plate; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising the amount of proceeds from the sale of the plate that may be used to pay certain costs; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Simpson—

SB 634—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising provisions relating to the operation of radios or other soundmaking devices in vehicles; deleting a standard for determining prohibited sound levels; deleting an exception for vehicles operated for business or political purposes; authorizing local authorities to regulate the place where such soundmaking devices may be operated; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Judiciary.

By Senator Soto—

SB 636—A bill to be entitled An act relating to students with limited English proficiency; amending s. 1003.56, F.S.; authorizing exemption from certain state standardized assessments up to a specified period if certain conditions are met; providing an effective date.

—was referred to the Committees on Education; and Rules.

By Senator Soto—

SJR 638—A joint resolution proposing an amendment to Section 1 of Article IV of the State Constitution to remove the Governor’s constitutional authority to fill a vacancy in an appointed or elected county office.

—was referred to the Committees on Governmental Oversight and Accountability; Judiciary; and Rules.

By Senators Richter and Dean—

SB 640—A bill to be entitled An act relating to state funds; amending s. 215.32, F.S.; prohibiting unappropriated cash balances in the State Homes for Veterans Trust Fund and the Grants and Donations Trust Fund administered by the Department of Veterans' Affairs from being transferred to the Budget Stabilization Fund or General Revenue Fund in the General Appropriations Act; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Hays—

SB 642—A bill to be entitled An act relating to distilled spirits; amending s. 565.03, F.S.; providing definitions; revising provisions with respect to the licensure and operation of distilleries; providing requirements for craft distilleries; providing for the sale of distilled spirits by licensed distilleries under certain conditions; providing reporting requirements; prohibiting the shipment of certain distilled spirits; providing for the transportation of distilled spirits by licensed distilleries under certain conditions; providing requirements relating to the payment of taxes; providing for applicability; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Richter—

SB 644—A bill to be entitled An act relating to licensure by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; repealing s. 560.143(1)(f), F.S., relating to fingerprint fees when applying for a license as a money services business; providing effective dates.

—was referred to the Committees on Banking and Insurance; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

SB 646—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory oversight organization under certain circumstances; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the

residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee to discuss issues and concerns and make recommendations for improvement; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed about the confidentiality of the subject matter and identity of the complainant of a complaint received by the State Long-Term Care Ombudsman Program; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; authorizing the agency to deny, revoke, or suspend a license of an assisted living facility for a negligent act of any facility staff which seriously affects the health, safety, or welfare of a resident; requiring the agency to deny or revoke the license of an assisted living facility under certain circumstances; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before an inspection if non-compliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.28, F.S.; requiring residents of facilities to be informed about the confidentiality of the subject matter and identity of the resident and complainant of a complaint made to the State Long-Term Care Ombudsman Program; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations; requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; providing an effective date.

—was referred to the Committees on Health Policy; and Judiciary.

By Senator Hukill—

SB 648—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; deleting requirements that a health insurer submit proposed marketing communications or advertising material to the Office of Insurance Regulation for review and approval; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health Policy.

By Senator Sachs—

SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowls; creating s. 828.1615, F.S.; providing that it is unlawful for a person to dye or artificially color any animal or fowl; providing that it is unlawful to sell or give away animals of a certain age; providing exceptions; providing criminal penalties; providing an effective date.

—was referred to the Committees on Agriculture; and Criminal Justice.

By Senator Detert—

SB 652—A bill to be entitled An act relating to public records and public meetings; amending s. 112.324, F.S.; expanding the exemption from public records requirements for a written complaint received by the Commission on Ethics of an alleged violation of the Code of Ethics for Public Officers and Employees, or any other alleged breach of the public trust within the jurisdiction of the commission, to include the commission's determination regarding a written referral of a possible violation of the code or other possible breach of the public trust from the Governor, the Chief Financial Officer, a state attorney, or the Executive Director of the Department of Law Enforcement; expanding the exemption from public meeting requirements for a proceeding conducted by the commission to include proceedings conducted pursuant to a referral; providing for specified duration of the exemptions; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Senator Montford—

SB 654—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; providing that an owner of containers used for the storage or transport of agricultural or other commercial products may adopt for his or her exclusive use a particular mark or brand to designate and distinguish ownership of the containers; making technical and grammatical changes; creating s. 506.265, F.S.; providing definitions; requiring that a person who purchases five or more plastic bulk merchandise containers from one seller obtain proof of ownership, verify the seller's identity, pay noncash, and record and maintain other information for a specified period of time; providing that prosecuting attorneys may inspect the records at any time upon reasonable notice; providing an exception for licensed waste haulers; creating s. 506.266, F.S.; providing criminal and civil penalties; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Judiciary.

By Senator Hukill—

SB 656—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.031, F.S.; providing for the incremental reduction of the tax imposed on the rental or license fees charged for the use of commercial real property; providing for the future repeal of s. 212.031, F.S., relating to the imposition of a tax on the rental or license fees charged for the use of commercial real property; amending ss. 212.0598, 212.0602, 288.1258, 338.234, and 341.840, F.S.; conforming provisions to changes made by the act; conforming cross-references; providing effective dates.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senators Simpson, Ring, Brandes, Evers, Joyner, Hays, and Thompson—

SB 658—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; increasing the maximum allowable capacity for individual containers of wine sold in this state; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Rules.

By Senator Gibson—

SB 660—A bill to be entitled An act relating to juvenile civil citations; amending s. 985.12, F.S.; requiring that a law enforcement officer, upon making contact with a juvenile who admits having committed a misdemeanor, issue a civil citation in certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Hays—

SB 662—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing limitations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Appropriations.

By Senator Simmons—

SB 664—A bill to be entitled An act relating to state taxes on motor fuel; amending ss. 206.41 and 206.625, F.S.; requiring that certain motor fuel taxes paid by a county sheriff's office be returned and used to offset ongoing fuel costs; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Stargel—

SB 666—A bill to be entitled An act relating to the Southwest Florida Water Management District; directing the Southwest Florida Water Management District to transfer certain water control structures and related real property interests to the Lake Region Lakes Management District; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Senator Bullard—

SB 668—A bill to be entitled An act relating to constitutional amendments; amending s. 101.161, F.S.; providing that word count limitations on ballot summaries and ballot titles apply to constitutional amendments or revisions proposed by joint resolution; deleting a provision that permits placing the full text of an amendment or revision to the State Constitution on the ballot; deleting the authority of the Attorney General to prepare a revised ballot title or ballot summary when all ballot statements embodied in a joint resolution are defective and no further appeals will be made concerning the ballot statement; deleting the authority of the Department of State to furnish certain administrative duties related to the revised ballot title or summary; deleting judicial authority to retain jurisdiction over a revised ballot title or ballot summary prepared by the Attorney General; deleting the authorization to place the full text of an amendment or revision on a ballot; deleting certain legal presumptions pertaining to the provision of the full text of an amendment or revision on a ballot; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Brandes—

SB 670—A bill to be entitled An act relating to the Department of Economic Opportunity; requiring the department to create a web page accessible through its Internet website that provides comprehensive data and information that are relevant to the creation of new businesses, or the expansion of existing businesses, within the state; providing purposes of the web page; requiring the department to contact local governmental entities and collect specified data and information; requiring cities and counties to provide notice of changes in data collected by the department; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Evers—

SB 672—A bill to be entitled An act relating to youth custody officers; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officer position within the Department of Juvenile Justice; amending s. 121.0515, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senators Montford and Sachs—

SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; providing an effective date.

—was referred to the Committees on Agriculture; and Community Affairs.

By Senator Evers—

SB 676—A bill to be entitled An act relating to juvenile justice circuit advisory boards; amending s. 985.664, F.S.; revising the juvenile justice circuit advisory boards; providing that a juvenile justice circuit advisory board be established in each of the 20 judicial circuits; providing that the purpose of each juvenile justice circuit advisory board is to render advice and direction to the Department of Juvenile Justice when developing and implementing juvenile justice programs; requiring each advisory board to work collaboratively with the department in seeking program improvements for juveniles in this state; requiring each advisory board to develop a comprehensive plan for the circuit by a specified date to facilitate interagency cooperation and to prepare recommendations for public and private grants; requiring an advisory board to prepare an annual report; providing for membership on the board; requiring the secretary of the department to appoint a chair for the board; requiring the chair to appoint the remaining members to the advisory board and to submit the appointments within a specified period of time to the department for approval; providing quorum; requiring the advisory board to establish an executive committee; requiring each advisory board to develop bylaws; requiring each member of the board to comply with the Code of Ethics for Public Officers and Employees; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Evers—

SB 678—A bill to be entitled An act relating to malicious battery and infliction of cruel or inhuman treatment on a juvenile offender; creating s. 985.7015, F.S.; defining terms; providing that it is unlawful for an employee of the Department of Juvenile Justice to commit a battery or to inflict cruel or inhuman treatment on a juvenile offender; providing criminal penalties; providing that battery or the infliction of cruel or inhuman treatment on a juvenile offender constitutes sufficient cause to dismiss the employee from employment with the department and to prohibit such employee from being employed again in any capacity with the juvenile justice system; requiring each employee to immediately report such injurious behavior to the department's incident hotline and to deliver a report to his or her supervisor; providing criminal penalties for failing to report an incident to a supervisor, for knowingly or willfully submitting inaccurate, incomplete, or untruthful information, or for coercing or threatening another to alter testimony or the written report; repealing s. 945.75, F.S., relating to tours of state correctional facilities for juveniles; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Senator Evers—

SB 680—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; repealing s. 1009.531(7), F.S., relating to student eligibility requirements for an initial award and each renewal award under the Florida Bright Futures Scholarship Program; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Simpson—

SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Senator Hays—

SB 684—A bill to be entitled An act relating to preference in award of state contracts; amending s. 287.084, F.S.; expanding provisions that require an agency, university, college, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property to include the purchase of construction services; requiring counties and municipalities to provide such preferential consideration; providing that for specified competitive solicitations the authority to grant preference supersedes any local ordinance or regulation that restricts specified contractors from competing for an award based upon certain conditions; requiring a university, college, county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents; providing for construction; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; Appropriations; and Rules.

By Senator Thrasher—

SB 686—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2013 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2013 shall be effective immediately upon publication; providing that general laws enacted during the March 14-28, 2012, special session and prior thereto and not included in the Florida Statutes 2013 are repealed; providing that general laws enacted during the 2013 regular session are not repealed by this adoption act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 688—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 106.25, 110.201, 120.525, 120.54, 120.542, 120.545, 120.555, 120.56, 120.565, 120.63, 120.745, 120.80, 120.81, 155.40, 159.703, 161.053, 202.22, 215.555, 252.62, 252.63, 255.0525, 280.11, 310.151, 320.642, 334.30, 339.135, 339.155, 343.875, 343.962, 348.0004, 349.22, 366.04, 373.036, 373.044, 373.103, 373.4131, 378.212, 379.2431, 380.05, 395.003, 403.201, 403.805, 403.8055, 403.9411, 403.9422, 408.039, 409.912, 493.6104, 553.775, 561.19, 570.247, 601.152, 627.091, 633.0215, 633.026, 658.26, 766.105, 791.013, 957.12, and 1006.33, F.S., to conform to the directive of the Legislature in section 3 of chapter 2012-63, Laws of Florida, to prepare a reviser’s bill for the 2013 Regular Session of the Legislature to substitute the term “Florida Administrative Register” for the term “Florida Administrative Weekly” throughout the Florida Statutes; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 690—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45, 20.15, 20.28, 39.001, 39.0139, 39.201, 40.011, 61.1825, 63.082, 63.2325, 97.0585, 112.63, 120.54, 120.745, 121.055, 121.085, 121.091, 159.823, 163.3246, 163.340, 189.4042, 190.046, 211.02, 215.5601, 215.97, 218.32, 252.385, 252.939, 252.940, 252.941, 252.942, 253.034, 255.2575, 259.032, 282.201, 288.1254, 288.71025, 288.980, 295.07, 311.101, 316.0083, 316.640, 320.20, 322.142, 322.2615, 339.135, 339.2825, 341.840, 343.805, 343.91, 344.17, 348.752, 349.02, 373.227, 373.250, 373.536, 376.3071, 379.2433, 379.3581, 380.0662, 381.004, 381.00593, 381.0065, 381.0101, 391.026, 400.172, 400.915, 400.9905, 403.086, 403.511, 403.9416, 414.295, 420.503, 420.5087, 430.205, 430.80, 430.81, 443.091, 443.111, 443.171, 466.007, 475.6235, 489.118, 499.01, 500.09, 538.23, 553.98, 570.451, 580.036, 586.10, 601.03, 601.15, 601.61, 601.9910, 610.109, 624.402, 626.2815, 626.8734, 626.9362, 626.989, 626.9895, 627.3511, 641.312, 651.118, 817.234, 877.101, 921.0022, 945.355, 948.08, 948.16, 960.003, 985.03, 1003.43, 1003.52, 1006.062, 1006.20, 1006.282, 1009.67, 1009.971, and 1013.231, F.S.; reenacting and amending s. 339.0805, F.S.; reenacting s. 322.21, F.S.; and repealing ss. 202.38 and 252.945, F.S., deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 692—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 206.608(3), 220.1896, 253.034(13) and (16), 332.007(8), 339.08(4), 401.465(2)(i), 406.61(3), 946.515(8), and 1010.10, F.S.; and amending ss. 215.555(4)(b), 339.135(4)(a) and (5), 394.908(3), and 893.055(7)(d), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2013 Florida Statutes only

through a reviser’s bill duly enacted by the Legislature; amending s. 220.02(8), F.S., to conform a cross-reference; providing an effective date.

—was referred to the Committee on Rules.

By Senator Thrasher—

SB 694—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 10.00001, 10.00002, 10.00003, 10.00004, 10.00005, 10.00006, 10.00007, and 10.00008, F.S.; deleting provisions providing for apportionment of the districts for the State Senate and House of Representatives that have been superseded; providing an effective date.

—was referred to the Committee on Rules.

By Senator Stargel—

SB 696—A bill to be entitled An act relating to vacation and time share plans; amending s. 718.112, F.S.; exempting associations that govern a timeshare condominium from the prohibition of using proxies for electing members of the board; amending s. 721.07, F.S.; revising the formula to calculate the reserves for any accommodations and facilities of real property time share plans; amending s. 721.82, F.S.; revising the definition of the terms “notice address,” “obligor,” and “permitted delivery service”; amending s. 721.84, F.S.; making technical changes; amending s. 721.855, F.S.; removing a provision that requires a title search to accompany the affidavit initiating a trustee foreclosure proceeding of assessment liens; revising conditions to a trustee’s exercise of power of sale relating to lis pendens; providing that a trustee may sell a timeshare interest if the lienholder delivers a certain title search which identifies junior interestholders of record; providing conditions when the foreclosure may not proceed; removing reference to an alternative to first-class mail for service of notice; revising criteria when notice of a foreclosure proceeding is not perfected; revising the criteria for perfecting notice of foreclosure by publication in a newspaper; revising criteria that must be included in an affidavit certifying notice was perfected by publication; providing additional criteria for perfecting notice; providing the notice of sale has certain force and effect if a notice of lis pendens was not previously recorded; allowing a trustee under certain conditions to use a third party to conduct a sale; providing an exception for certain violations of the trustee foreclosure procedures of assessment liens; amending s. 721.856, F.S.; removing a provision that requires a title search to accompany the affidavit initiating a trustee foreclosure proceeding of mortgage liens; revising conditions to a trustee’s exercise of power of sale relating to lis pendens; providing that a trustee may sell a timeshare interest if the lienholder delivers a certain title search which identifies junior interestholders of record; providing conditions when the foreclosure may not proceed; removing reference to an alternative to first-class mail for service of notice; revising criteria when notice of a foreclosure proceeding is not perfected; revising the criteria for perfecting notice of foreclosure by publication in a newspaper; revising criteria that must be included in an affidavit certifying notice was perfected by publication; providing additional criteria for perfecting notice; providing the notice of sale has certain force and effect if a notice of lis pendens was not previously recorded; allowing a trustee under certain conditions to use a third party to conduct a sale; providing a trustee an exception for certain violations of the trustee foreclosure procedures of mortgage liens; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Bullard—

SB 698—A bill to be entitled An act relating to bonds for Everglades restoration; amending s. 215.619, F.S.; providing for funding for the City of Key West and the Florida Keys Area of Critical State Concern protection program; providing for financial assistance agreements between the Department of Environmental Protection and the City of Key West for the construction of stormwater management and sewage facilities; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Simmons—

SB 700—A bill to be entitled An act relating to consumer protection; creating s. 501.20795, F.S.; requiring retail tire dealers to disclose to purchasers the date of manufacture of used tires and certain warnings relating to the age of tires; requiring the dealer to provide a copy of the disclosure to the purchaser and retain the original for a specified period; providing applicability; providing for enforcement by administrative action of the Department of Agriculture and Consumer Services; providing for administrative fines; specifying that the provisions of the act are not enforceable by private action; providing for deposit and use of fines collected; requiring the Department of Legal Affairs to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Garcia—

SB 702—A bill to be entitled An act relating to students remaining on school grounds during school hours; amending s. 1001.43, F.S.; providing that a district school board may adopt policies for releasing students for the school lunch period; requiring schools in certain districts to obtain parental consent before permitting students to leave school grounds during the lunch period; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Rules.

By Senator Garcia—

SB 704—A bill to be entitled An act relating to the Florida Kidcare program; repealing s. 409.814(4)(c), F.S., relating to eligibility for the Florida Kidcare program; repealing a provision that prohibits certain children who are not qualified aliens from participating in the program; amending s. 624.91, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Montford—

SB 706—A bill to be entitled An act relating to uninsured motorist insurance coverage; amending s. 627.727, F.S.; providing that, under certain circumstances, specified persons who elect non-stacking limitations on their uninsured motorist insurance coverage are conclusively presumed to have made an informed, knowing acceptance of the limitations on behalf of all insureds; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Senator Soto—

SB 708—A bill to be entitled An act relating to the use of wireless communications devices while operating a motor vehicle; creating s. 316.3035, F.S.; defining the term “wireless communications device”; providing exceptions to the applicability of the act; providing that a person who causes the death of another person while operating a motor vehicle and using a wireless communications device commits vehicular homicide; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Criminal Justice.

By Senator Abruzzo—

SB 710—A bill to be entitled An act relating to prohibited discrimination; providing a short title; amending s. 760.01, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 760.02, F.S.; defining additional terms; creating s. 760.025, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 509.092, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination in public lodging establishments and public food service establishments; amending s. 760.22, F.S.; defining additional terms; deleting the definition of the term “handicap”; creating s. 760.225, F.S.; specifying when an individual has an impairment for certain purposes; amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending ss. 760.31 and 760.50, F.S.; conforming terminology; amending s. 760.60, F.S.; revising provisions to include sexual orientation and gender identity or expression as impermissible grounds for discrimination; conforming terminology; amending s. 419.001, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Children, Families, and Elder Affairs; and Judiciary.

By Senator Latvala—

SB 712—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Fallen Law Enforcement Officers license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Simmons—

SB 714—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information provided by a private or out-of-state entity to an electric utility that is subject to ch. 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the return of such information to the provider; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

By Senators Simpson, Abruzzo, Bradley, Hays, Ring, and Evers—

SB 716—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.2077, F.S.; providing definitions; including physical impairment within the definition of “person who has a disability”; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military service member or the member’s spouse or child in certain circumstances; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Judiciary.

By Senators Stargel, Grimsley, Richter, Thrasher, and Soto—

SB 718—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.08, F.S.; defining terms; revising factors to be considered for alimony awards; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; revising factors to be considered when deciding whether to award alimony; providing that an award of alimony granted automatically terminates without further action under certain circumstances; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; requiring written findings regarding the incomes and standard of living of the parties after dissolution of marriage; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; revising provisions relating to the effect of a supportive relationship on an award of alimony; providing that income and assets of the obligor's spouse or the person with whom the obligor resides may not be considered in the redetermination in a modification action; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing allowable dates for the modification of such awards; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

By Senator Brandes—

SB 720—A bill to be entitled An act relating to the deregulation of professions and occupations; amending s. 468.383, F.S.; exempting certain auctioneers who conduct motor vehicle auction contests from licensure; amending s. 468.385, F.S.; deleting licensure requirements for auctioneer apprentices; amending ss. 468.381, 468.384, 468.3855, 468.388, and 468.391, F.S., to conform; amending s. 477.0132, F.S.; deleting provisions requiring the registration of persons whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping; providing that the Florida Cosmetology Act does not apply to such persons; amending ss. 477.019, 477.026, 477.0265, and 477.029, F.S., to conform; repealing part VIII of chapter 559, F.S., relating to the Sale of Business Opportunities Act and the regulation of certain business opportunities; amending ss. 205.1971, 501.604, and 721.11, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Bullard—

SB 722—A bill to be entitled An act relating to disposable and reusable bags; amending s. 403.7033, F.S.; providing legislative findings; deleting obsolete language regarding legislative findings; creating statewide rules for disposable plastic bags and recyclable paper bags for certain stores in counties or municipalities where the local government adopts the provisions of the act; establishing requirements for certain stores in participating localities to comply with the act; requiring stores in participating localities to charge a fee for every recyclable paper bag provided to customers; providing for allocation of collected fees; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Senator Brandes—

SB 724—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 215.555, F.S., relating to the Florida Hurricane Catastrophe Fund; revising the definition of "covered policy"; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; applying an exemption from the requirements of that section to the corporation; amending s. 627.351, F.S.; revising requirements relating to quota share primary insurance agreements; requiring the corporation and authorized insurers to enter into excess of loss reinsurance agreements and quota share reinsurance agreements in certain circumstances; authorizing the corporation's board of governors to limit the corporation's participation; deleting and revising related definitions; providing that entering into such agreements is at the discretion of the insurer; providing that if the corporation is the reinsurer, all forms and endorsements must be approved by the Office of Insurance Regulation; prohibiting the corporation from sharing risk for certain damages; requiring the corporation and each insurer to report additional information to the fund and revising the procedures for determining whether a risk is eligible for the corporation; requiring the corporation to implement eligibility procedures and operational requirements for certain purposes which include a clearinghouse for new applications; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Simmons—

SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; establishing certain family or medical leave benefits for specified employees; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an effective date.

—was referred to the Committees on Community Affairs; Health Policy; and Judiciary.

SR 728—Not referenced.

By Senator Bullard—

SB 730—A bill to be entitled An act relating to federal immigration detainer requests; providing a short title; providing definitions; providing conditions under which law enforcement officials may hold an individual pursuant to a federal immigration detainer request; providing applicability; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Grimsley—

SB 732—A bill to be entitled An act relating to prescription drugs; providing definitions; authorizing a pharmacist to substitute a biosimilar product for a prescribed product if certain requirements are met; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Soto—

SB 734—A bill to be entitled An act relating to daylight saving time; providing a short title; requiring that the State of Florida and its political subdivisions observe daylight saving time year-round; authorizing each district school board to adjust school start times due to the year-round observance of daylight saving time; authorizing the Department of Agriculture and Consumer Services to study adjustments in standard agricultural practices due to the year-round observance of daylight saving time; providing an effective date.

—was referred to the Committees on Education; Commerce and Tourism; Agriculture; and Rules.

By Senator Richter—

SB 736—A bill to be entitled An act relating to limitations relating to deeds and wills; amending s. 95.231, F.S.; providing for limitations of actions when a deed or will is on record; providing that a person claiming an interest in real property affected by amendments made in the act has until a specified date to file a claim or defense in court to determine the validity of the instrument; providing that if a claim or defense is filed within the specified period, the validity of the instrument is determined without regard to these amendments; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

By Senator Clemens—

SB 738—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; defining the term “sober house transitional living home” as it relates to the Hal S. Marchman Alcohol and Other Drug Services Act; amending s. 397.403, F.S.; requiring that an applicant seeking licensure for a proposed facility that would provide specified substance abuse services adhere to local, municipal, or county standards for zoning and occupancy; requiring such applicants to provide written notice to the chief executive officer of the appropriate local government before receiving licensure as a substance abuse service provider; requiring the applicant to stipulate certain criteria within the notice; requiring the local government to review the notification and to determine if the proposed facility and its siting comply with certain requirements; requiring the local government to notify the applicant and the Department of Children and Families of its determination; requiring each sober house transitional living home in existence on a certain date to apply for licensure with the department and give notice to the local government by a specified date; requiring the local government to notify the existing sober house transitional living home and the department of its determination; providing that a dwelling unit that houses a facility that is a sober house transitional living home or that offers certain substance abuse services is subject to local, municipal, or county zoning and occupancy standards; providing conflict resolution by informal mediation under certain circumstances; requiring the local government to arrange for services of an independent mediator or initiate dispute resolution proceedings; providing procedures for the mediation; providing construction; providing that a city or county government is not required to adopt a local ordinance under certain circumstances; providing that state law prevails over a local ordinance; providing that a local government is not precluded from adopting ordinances that govern fa-

cilities that offer certain substance abuse services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Simpson—

SB 740—A bill to be entitled An act relating to tax exemptions for property used for affordable housing; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Evers—

SB 742—A bill to be entitled An act relating to parole interview dates for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing certain specified crimes; reenacting s. 947.165(1), F.S., relating to the development and implementation by the Parole Commission of objective parole guidelines to serve as the criteria upon which parole decisions are to be made, to incorporate the amendments made to s. 947.1745, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senators Simmons and Montford—

SB 744—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; revising the requirements of charter school applications regarding the submission of detailed financial information and annual employee compensation; requiring a charter school application to demonstrate that the applicant is financially capable and qualified to open, operate, and maintain a high-quality charter school; revising the requirements of a charter to include a requirement that the charter school comply with applicable law, its representations, and agreements provided in the application for the charter school; requiring a charter to set forth a program of reporting by the charter school and review by the sponsor of the financial operations of the charter school; requiring the term of a charter to provide for cancellation of the charter under certain circumstances; revising the grounds in which a sponsor may choose not to renew or terminate a charter; defining the term “welfare” as it relates to the termination of a charter; authorizing a governing board of a charter school, with the consent of the sponsor, to choose a corrective action if the charter school receives certain failing grades; providing that a charter school system is designated as a local educational agency solely for the purpose of receiving federal funds in the same manner as if the charter school system were a school district if the charter school system meets certain requirements; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Stargel—

SB 746—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s.

26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senators Bean and Gibson—

SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; requiring the organization, subject to an appropriation, to enroll a specified number of persons to participate in the program in the named counties; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health Policy.

By Senator Brandes—

SB 750—A bill to be entitled An act relating to transportation; amending s. 311.22, F.S.; establishing the Department of Transportation as the agency responsible for administering the section, instead of the Florida Seaport Transportation and Economic Development Council; providing for the future repeal of the section; providing an effective date.

—was referred to the Committees on Transportation; and Commerce and Tourism.

By Senator Hukill—

SB 752—A bill to be entitled An act relating to capital investment tax credits; amending ss. 220.191 and 288.108, F.S.; adding certain indoor agricultural enterprises to the list of high-impact sectors eligible for the capital investment tax credit; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Grimsley—

SB 754—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

By Senator Grimsley—

SB 756—A bill to be entitled An act relating to the Department of Transportation; requiring the department to adopt rules governing the use of the department’s excess fiber optic communication networks for nontransportation purposes; providing an effective date.

—was referred to the Committees on Transportation; Communications, Energy, and Public Utilities; and Governmental Oversight and Accountability.

By Senator Grimsley—

SB 758—A bill to be entitled An act relating to grandparent visitation; amending s. 752.01, F.S.; providing additional grounds for awarding grandparent visitation with a grandchild; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Bean—

SB 760—A bill to be entitled An act relating to high school course options; requiring the Office of Program Policy Analysis and Government Accountability, in conjunction with the Department of Education, to conduct a study on the identification or creation of career-technical high school courses of provable equivalency to standard required courses; providing requirements for the study; requiring the office to submit study results to the Legislature; providing an effective date.

—was referred to the Committees on Education; Commerce and Tourism; Appropriations Subcommittee on Education; and Appropriations.

By Senator Abruzzo—

SB 762—A bill to be entitled An act relating to marketable record title; amending s. 712.03, F.S.; making grammatical changes; providing that marketable record title may not extinguish certain restrictions or covenants that are accepted by a governmental entity or any right, title, or interest that is held in trust for the public; amending s. 712.04, F.S.; providing that ch. 712, F.S., does not affect any right, title, or interest of a political subdivision in this state; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Abruzzo—

SB 764—A bill to be entitled An act relating to school district educational programs; requiring that a school district be given specified lead time to plan and budget for implementation of certain new state requirements; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Rules.

By Senator Brandes—

SB 766—A bill to be entitled An act relating to transportation; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations under the Florida Transportation Corporation Act; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of corporations; repealing s. 339.405, F.S., relating to type and structure of the corporation and income; repealing s. 339.406, F.S., relating to contracts between the department and the corporation; repealing s. 339.407, F.S., relating to articles of incorporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors; repealing s. 339.409, F.S., relating to bylaws; repealing s. 339.410, F.S., relating to notice of meetings and open records; repealing s. 339.411, F.S., relating to the amendment of articles; repealing s. 339.412, F.S., relating to the powers of the corporation; repealing s. 339.414, F.S., relating to use of state property; repealing s. 339.415, F.S., relating to exemptions from taxation; repealing s. 339.416, F.S., relating to the authority to alter or dissolve corporations; repealing s. 339.417, F.S., relating to the dissolution of a corporation upon the completion of purposes; repealing s. 339.418, F.S., relating to transfer of funds and property upon dissolution; repealing s. 339.419, F.S., relating to department rules; repealing s. 339.420, F.S., relating to construction; repealing s. 339.421, F.S., relating to issuance of debt; providing an effective date.

—was referred to the Committees on Transportation; and Governmental Oversight and Accountability.

By Senator Simpson—

SB 768—A bill to be entitled An act relating to the Everglades Long-Term Plan; amending s. 373.4592, F.S.; modifying the definition of “Long-Term Plan” as it applies to Everglades improvement and management; deleting references to Plan phases; conforming provisions to changes made in the act; making technical changes; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

By Senator Ring—

SB 770—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers in addition to those already granted to such districts; specifying such powers; establishing that a neighborhood improvement district shall be treated as a community development district regarding certain exemption and bond provisions described in ch. 190, F.S.; prohibiting a neighborhood improvement district from being dissolved until arrangements are made for payment of its debt; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Brandes—

SB 772—A bill to be entitled An act relating to development exactions; creating s. 70.45, F.S.; prohibiting local governments from imposing or

requiring certain exactions on or against private property; providing exceptions; providing an effective date.

—was referred to the Committees on Community Affairs; and Judiciary.

By Senators Thompson, Clemens, Soto, Sobel, Joyner, Abruzzo, Margolis, Ring, Gibson, and Braynon—

SB 774—A bill to be entitled An act relating to the Florida Civil Rights Act of 1992; providing a short title; amending s. 760.02, F.S.; expanding the meaning of “sex” as the term relates to the Florida Civil Rights Act of 1992; specifying that a woman who is pregnant or who is affected by a medical condition related to pregnancy or childbirth must be treated the same for all employment-related purposes, including receipt of benefits, as an individual who has a medical condition unrelated to pregnancy or childbirth; amending s. 760.11, F.S.; extending the time for the Florida Commission on Human Relations to investigate complaints and determine reasonable cause; specifying powers of the commission and administrative law judges to enter proposed orders to prohibit practices that violate the Florida Civil Rights Act of 1992; authorizing the commission and administrative law judges to award compensatory and punitive damages; providing a monetary limit on the award of punitive damages; providing that attorney fees be calculated consistent with federal case law; extending the time before a complainant may proceed with civil or administrative action when the commission fails to conciliate or determine whether there is reasonable cause; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; Judiciary; and Rules.

By Senator Thompson—

SB 776—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; requiring a private school participating in the program to report to the Department of Education the assessment scores of any students who are administered certain assessments; requiring the department to publish the scores on its website; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 778—A bill to be entitled An act relating to transactions in fresh produce markets; providing definitions; requiring certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; requiring the Department of Children and Families to adopt rules; providing an effective date.

—was referred to the Committees on Agriculture; Children, Families, and Elder Affairs; Appropriations; and Rules.

By Senator Thompson—

SB 780—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing that contracts for charter school employees and contracts for charter school operations with an educational service provider or vendor may not extend beyond the terms of the school’s charter contract; specifying that charter school employees and service providers or vendors under charter school operations contracts are not entitled to compensation after the charter school’s closure; providing for applicability; providing for closure of a charter school under certain circumstances; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senators Thompson and Sachs—

SB 782—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; expanding the list of available sites at which early voting may be held; deleting a requirement that an early voting branch site be designated and used as such for at least 1 year before an election; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Senator Thompson—

SB 784—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; requiring the compensation and salary schedules for charter school employees to be based on school district schedules; providing salary restrictions in certain instances; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simpson—

SB 786—A bill to be entitled An act relating to comprehensive plan amendments; creating s. 163.3186, F.S.; providing legislative findings; establishing a pilot program in specified areas of the state to test and review an alternative plan amendment; providing a process for the adoption of comprehensive plan amendments; providing an exception for certain local governments and other specified areas; providing that agencies may not adopt rules to implement the program; requiring that the Office of Program Policy Analysis and Government Accountability (OPPAGA) submit a report; requiring OPPAGA to consider certain areas in drafting the report; providing an effective date.

—was referred to the Committees on Community Affairs; and Judiciary.

By Senator Abruzzo—

SB 788—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Brandes—

SB 790—A bill to be entitled An act relating to school emergency procedures; amending s. 1006.07, F.S.; defining and distinguishing emergency lockdown drills from emergency evacuation drills; requiring that emergency lockdown drills be conducted at least as often as emergency evacuation drills; encouraging local law enforcement officers or fire officials to participate in and to review at least one emergency lockdown drill at each school each year; requiring a designated staff member to submit an after-drill report to the school district after an emergency drill; providing requirements for the after-drill report; re-

quiring that each school annually review and revise its safety policies and procedures as needed; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Rules.

By Senator Legg—

SB 792—A bill to be entitled An act relating to property insurance coverage; amending s. 627.707, F.S.; providing that an insurer may not nonrenew a property insurance policy if it paid the limits for sinkhole damage and the policyholder made the repairs and paid for any additional costs; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brandes—

SB 794—A bill to be entitled An act relating to Medicaid eligibility; creating s. 409.995, F.S.; providing conditions for the Department of Children and Families to evaluate an applicant's life insurance policy when determining eligibility for Medicaid services; authorizing the Agency for Health Care Administration to use federal or state funds under the Medicaid program to pay life insurance premiums of an applicant or recipient under certain circumstances; providing restrictions on the sale, assignation, or transfer of ownership of a life insurance policy for which the state is named as a beneficiary or which is collateral assigned to the state; providing for proceeds to be paid to a beneficiary under certain conditions; providing conditions for the owner of a life insurance policy to enter into a viatical settlement contract with a health care services provider for coverage of Medicaid long-term care services; specifying content of the contract; requiring that all marketing materials, actuarial memoranda, and pricing methodologies used by the viatical settlement provider be filed with and approved by the Office of Insurance Regulation; requiring the office to conduct market examinations and financial audits of certain viatical settlement providers; requiring the department to provide notice of life insurance policy options; authorizing the department, the agency, and the office to adopt rules; authorizing the agency to seek state plan amendments and federal waivers; defining the term "value"; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Hukill—

SB 796—A bill to be entitled An act relating to ignition interlock devices; amending s. 316.193, F.S.; requiring mandatory placement of an ignition interlock device on all vehicles owned or operated by a person convicted of driving under the influence for specified periods based on the violation; revising the required installation periods for certain violations; amending s. 316.1937, F.S.; revising the maximum allowable blood-alcohol level at which an ignition interlock device will allow operation of a vehicle; revising provisions prohibiting tampering with or circumventing an ignition interlock device; revising provisions concerning operation of vehicles owned or leased by the employer of a person subject to ignition interlock restrictions when such operation is required in the scope of his or her employment; amending s. 322.25, F.S.; requiring that court orders for reinstatement of a license privilege for driving under the influence include a requirement for an ignition interlock device; amending s. 322.2615, F.S.; deleting provisions relating to temporary licenses for business or employment purposes; providing for ignition interlock licenses and requirements for such licenses; amending s. 322.28, F.S.; providing for ignition interlock licenses following driver license or driving privilege suspension; providing requirements for such licenses; providing that a driver who obtains an ignition interlock license during a period of revocation shall receive credit on a day-for-day basis for the period the person holds a valid ignition interlock license toward any mandatory period of ignition interlock device-restricted use arising from the same incident; providing for ignition interlock licenses for persons whose driver license or driving privilege has been permanently revoked; providing requirements for such licenses; amending s. 322.271,

F.S.; deleting provisions providing for petitions for reinstatement of a driving privilege in certain circumstances following a revocation for a period of 5 years or less under specified provisions; amending s. 322.2715, F.S.; revising requirements for installation of ignition interlock devices as a condition of issuance of a permanent or restricted license for persons convicted of driving under the influence; requiring that the ignition interlock device restriction remain in effect until the Department of Highway Safety and Motor Vehicles receives a declaration from the person's ignition interlock device vendor certifying that certain incidents did not occur during a specified period; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

SR 798—Not referenced.

By Senator Brandes—

SB 800—A bill to be entitled An act relating to public records; amending s. 1006.07, F.S.; exempting from public records requirements a school district's after-drill report that summarizes the emergency drills of each school in the district and the recommendations from participating law enforcement officers or fire officials; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 802—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners' Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Florida Building Code Administrators and Inspectors Board to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Appropriations.

By Senator Richter—

SB 804—A bill to be entitled An act relating to the Department of Elderly Affairs; directing the Office of Program Policy Analysis and Government Accountability to conduct a review and evaluation of the functions of the Department of Elderly Affairs; requiring the office to consult with and obtain the assistance of certain state agencies and to consult with certain stakeholders regarding the review and evaluation; requiring the office to submit a report to the Governor, the Legislature, and the Secretary of Elderly Affairs by a specified date; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Senators Stargel and Thrasher—

SB 806—A bill to be entitled An act relating to powers and duties of district school boards; amending s. 1001.42, F.S.; authorizing a district school board to set an opening date for schools in the district to accommodate the completion of student coursework and assessments during the fall term; providing additional purposes for which an internal auditor may be employed; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Margolis—

SB 808—A bill to be entitled An act relating to a needle and syringe exchange program; amending s. 381.0038, F.S.; authorizing the Department of Health to establish a needle and syringe exchange program; providing criteria for the program; providing that the distribution of needles and syringes under the program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a program staff member or participant may be prosecuted; providing for severability; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Simmons—

SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Tourism.

By Senator Gibson—

SB 812—A bill to be entitled An act relating to youth in solitary confinement; creating s. 958.155, F.S.; providing a short title; defining terms; prohibiting the Department of Corrections or a local government body from subjecting a youth to solitary confinement except under certain circumstances; limiting cell confinement of all youth prisoners; providing protection for youth prisoners held in emergency cell confinement; prohibiting a youth prisoner from being subjected to emergency cell confinement for more than 24 hours; requiring the placement in emergency cell confinement to be documented; requiring that a mental health clinician evaluate face-to-face within a specified time a youth prisoner who is subjected to emergency cell confinement; requiring staff to perform visual checks at specified intervals; providing for an individualized suicide crisis intervention plan, if applicable; providing for the protection of youth prisoners in disciplinary cell confinement; prohibiting a youth prisoner from being subjected to disciplinary cell confinement for more than 72 hours; requiring staff to perform visual checks at specified intervals; requiring that youth prisoners in disciplinary cells be allotted services and other benefits that are made available to prisoners in the general prison population; providing reduced isolation for youth prisoners in protective custody; requiring the department and counties to review their policies relating to youth prisoners to evaluate whether the policies are necessary; requiring a report to the Governor and Legislature; amending s. 944.09, F.S.; authorizing the department to adopt rules; amending s. 951.23, F.S.; requiring sheriffs to adopt standards relating to youth prisoners; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

By Senator Brandes—

SB 814—A bill to be entitled An act relating to the registration of branch offices conducting securities transactions; amending s. 517.12, F.S.; providing that the registration of such offices is effective upon the filing of a certain form with the Office of Financial Regulation; authorizing the office to request a written supplement under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

SR 816—Not referenced.

By Senator Garcia—

SB 818—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; increasing the number of pharmacy technicians which a licensed pharmacist may supervise; deleting a provision to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; and Rules.

By Senator Soto—

SB 820—A bill to be entitled An act relating to a small business development fund; creating s. 288.7045, F.S.; providing definitions; creating the fund to secure loans from participating private lending institutions for certain small businesses; prohibiting a participating private lending institution from charging a small business more than a specified rate of interest; specifying a cap on the loan amount; specifying that half of the funds be loaned to small businesses and the other half be loaned to small start-up businesses; specifying the information that must be contained in the loan application from the fund; requiring the Department of Economic Opportunity to select the participating private lending institutions and the small businesses and small start-up businesses that qualify for funding; requiring the department to conduct a one-time public awareness campaign; providing funding; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Gibson—

SB 822—A bill to be entitled An act relating to educational personnel evaluation; amending s. 1012.34, F.S.; revising the criteria upon which the performance of instructional personnel and school administrators is evaluated; revising provisions relating to the measurement of student learning growth for purposes of the performance evaluation of classroom and nonclassroom teachers; requiring the State Board of Education to establish a fair method to ascertain student learning growth used to evaluate teachers of exceptional students and students who are not tested by statewide assessments or end-of-course assessments; amending s. 1012.22, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Garcia—

SB 824—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term “forensic behavioral health evaluation”; authorizing the release of such evaluations under certain circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity, applicability, and construction; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Garcia—

SB 826—A bill to be entitled An act relating to maximum class size; amending s. 1003.03, F.S.; calculating a school district’s class size categorical allocation reduction at the school average when maximum class size requirements are not met; amending s. 1002.33, F.S.; revising provisions relating to maximum class size in charter schools, to conform; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Garcia—

SB 828—A bill to be entitled An act relating to charter schools; amending s. 196.1983, F.S.; granting school district programs the ad valorem tax exemption given to charter schools and creating certain restrictions on such property; requiring a landlord to certify compliance by affidavit; restricting the use of capital outlay funds for property improvements if the property is exempt from ad valorem taxes; amending s. 1002.31, F.S.; providing a calculation for compliance with class size maximums for a public school of choice; amending s. 1002.33, F.S.; making technical and grammatical changes; deleting a requirement that the State Board of Education remand an application to a sponsor; providing that the sponsor may conduct or audit a random selection process to admit applicants; prohibiting a charter school or charter school system from rejecting certain types of students solely based on a higher cost; requiring a charter school or charter school system to enroll students in proportion similar to the district average in order to qualify for a designation of high-performing charter school; providing a funding requirement for a student who transfers between a charter school and district school; authorizing a district school board to negotiate an appropriate usage fee based on market comparables for unused space; deleting a prohibition on existing public schools that convert to charter schools; prohibiting a charter school from selling or renting out property from a school district without written permission of the school district; providing that certain recommendations from the department are not binding on a school district; restricting use of capital outlay funds; deleting restrictions on withheld administrative fees; clarifying that a member of a governing board of a charter school is a public official; amending s. 1002.332, F.S.; modifying the definition of a high-performing charter school system to include those offering certain services; amending s. 1002.345, F.S.; restricting charter schools or technical career centers having financial problems from certain activities and requiring disclosure of such financial problems on subsequent applications; amending s. 1003.03, F.S.; basing the class size maximum on the schoolwide average; deleting certain requirements when the number of students assigned to a class exceeds the class size maximum; creating s. 1003.622, F.S.; providing legislative intent; recognizing high-performing school choice districts and granting them flexibility; qualifying a high-performing school choice district; exempting such districts from ch. 1000-1013, F.S., subject to certain exceptions; requiring the commissioner to verify the status of a high-performing school choice district; amending s. 1010.305, F.S.; extending student enrollment auditing procedures to charter schools; providing that a charter school may request an expedited review by the Auditor General; amending s. 1013.37, F.S.; requiring school boards to comply with the Florida Building Code for certain new projects; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Latvala—

SB 830—A bill to be entitled An act relating to vessels; providing a short title; amending s. 327.37, F.S.; prohibiting a person under a certain age from operating a vessel towing a person; providing exceptions; reenacting s. 327.73(1)(i), F.S., relating to noncriminal infractions, to incorporate changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; and Judiciary.

By Senator Joyner—

SB 832—A bill to be entitled An act relating to powers of attorney; amending s. 709.2102, F.S.; adding definitions; revising the definition of “sign”; amending s. 709.2103, F.S.; adding certain powers of attorney to which this part does not apply; amending s. 709.2105, F.S.; authorizing a notary public to sign the principal’s name to the power of attorney under certain circumstances; amending s. 709.2106, F.S.; clarifying and revising language; providing that an original power of attorney, rather than a photocopy or electronic copy, may be required under certain circumstances; providing that an original power of attorney may be pre-

sent for recording in the official records for a fee; amending s. 709.2114, F.S.; adding exceptions to a provision that prohibits an agent who has accepted appointment from delegating authority to a third person; amending s. 709.2116, F.S.; providing for attorney fees and costs as in chancery actions; amending s. 709.2119, F.S.; authorizing a third person to require an agent to execute an affidavit stating that the agent's authority was not terminated because of certain circumstances; revising a sample form of an affidavit; revising a cross-reference; amending s. 709.2120, F.S.; revising language; providing a presumption of reasonable time to accept or reject a power of attorney for a broker-dealer; requiring a third person who rejects a power of attorney to state the reason in writing unless a certain circumstance applies; amending s. 709.2121, F.S.; providing for notice to a broker-dealer; amending s. 709.2202, F.S.; conforming a cross-reference; authorizing a notary public to sign the principal's name to documents, other than the power of attorney, under certain circumstances; clarifying that certain gift amounts are based on the calendar year; specifying that a broker-dealer does not have a duty to inquire into certain actions by an agent and is not liable for relying in good faith on an agent's actions; amending s. 709.2208, F.S.; providing that an agent acquires general authority regarding securities held by a broker-dealer under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Simmons—

SB 834—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term “proprietary business information”; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

By Senator Simmons—

SB 836—A bill to be entitled An act relating to insurer solvency; creating s. 624.085, F.S.; providing definitions applicable to the insurance code; amending s. 624.4085, F.S.; revising definitions; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 642.424, F.S.; requiring an insurer's annual statement to include an actuarial opinion summary and providing criteria for such summary; providing an exception for life and health insurers; updating provisions; amending s. 625.121, F.S.; protecting a memorandum supporting an insurer's annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; amending s. 628.461, F.S.; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; providing for consideration of enterprise risk in an acquisition application; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to file annually by a specified date a registration statement; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; providing that failure to file a registration or report is a violation of the section; authorizing the office to conduct examinations to determine the financial condition of registrants; providing additional grounds for a waiver from the registration requirements; amending s. 628.803, F.S.; providing for sanctions for persons who violate the provisions of s. 628.461, F.S., relating to the acquisition of controlling stock; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.255, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; applying provisions relating to acquisition of controlling stock to a health maintenance organi-

zation that is a member of a holding company; providing a contingent effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

SR 838—Not referenced.

By Senator Stargel—

SB 840—A bill to be entitled An act relating to criminal use of personal identification information; amending s. 817.568, F.S.; deleting the requirement that a person who willfully and without authorization possesses personal identification information concerning an individual without first obtaining that individual's consent has an intent to fraudulently use the information in order to commit a specified violation; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Stargel—

SB 842—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to inspect public lodgings annually; requiring the division to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Grimsley—

SB 844—A bill to be entitled An act relating to Medicaid fraud; amending s. 409.907, F.S.; increasing the number of years a provider must keep records; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; adding definitions for “administrative fines” and “outstanding overpayment”; revising provisions relating to the agency's onsite inspection responsibilities; revising provisions relating to who is subject to background screening; amending s. 409.91212, F.S.; requiring the agency to enter into an interagency agreement with the Division of Insurance Fraud regarding anti-fraud plans by managed care plans; delaying the imposition of certain fines for failing to report; amending s. 409.913, F.S.; authorizing the agency to review and analyze sources other than providers in order to carry out its duties with respect to its Medicaid oversight responsibilities; increasing the number of years a provider must keep records; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; deleting the requirement that the agency pay interest on certain payments withheld from a provider and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Brandes, Negron, and Soto—

SB 846—A bill to be entitled An act relating to search and seizure of a portable electronic device; providing legislative findings and intent; defining the term “portable electronic device”; providing that information contained in a portable electronic device is not subject to a search by a

law enforcement officer incident to an arrest except pursuant to a warrant issued by a duly authorized judicial officer using procedures established by law; providing exceptions; prohibiting location informational tracking; providing legislative findings and intent; defining terms; prohibiting a government entity from obtaining the location information of an electronic device without a valid search warrant issued by a duly authorized judicial officer; providing that a search warrant may not be issued for the location of an electronic device for a period of time longer than is necessary to achieve the objective of the search warrant authorization; providing time periods for the validity of a search warrant; providing criteria by which to extend a search warrant for location information; providing exceptions to the requirement to obtain a search warrant for location information; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Gardiner—

SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; and Community Affairs.

By Senator Hukill—

SB 850—A bill to be entitled An act relating to persons with disabilities; requiring law enforcement agencies to report certain criminal activity and enforcement of certain laws to the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles; amending ss. 318.1451 and 322.0261, F.S.; requiring that, in determining whether to approve courses offered by driver improvement schools, the Department of Highway Safety and Motor Vehicles consider course content related to the study of traffic laws to assist legally blind and mobility-impaired persons; amending s. 322.12, F.S.; providing requirements for examination questions pertaining to traffic laws relating to legally blind and mobility-impaired persons; amending s. 322.095, F.S.; requiring certain traffic law education programs to include the study of traffic laws to assist legally blind and mobility-impaired persons; amending s. 943.17, F.S.; requiring the basic skills course required in order for law enforcement officers to obtain certification to include the study of traffic laws to assist legally blind and mobility-impaired persons; amending s. 1003.48, F.S.; requiring driver education programs to include the study of traffic laws to assist legally blind and mobility-impaired persons; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Appropriations.

By Senator Bean—

SB 852—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 120.574, F.S.; providing that specified administrative procedures for summary hearings apply to disciplinary cases involving certain real estate appraisers; providing exceptions and conditions relating to such procedures; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term “supervisory appraiser”; amending s. 475.615, F.S.; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct su-

pervisor of a registered trainee real estate appraiser; providing effective dates.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

SR 854—Not referenced.

By Senator Bullard—

SB 856—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; revising the definition of the term “blighted area,” as applicable to the Community Redevelopment Act of 1969, to include land previously used as a military facility and adjacent to a county-owned zoological park; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

SR 858—Not referenced.

By Senator Galvano—

SB 860—A bill to be entitled An act relating to workers’ compensation system administration; amending s. 284.44, F.S.; revising duties of state agencies covered by the state risk management program with respect to funding costs for employees entitled to workers’ compensation benefits; revising a definition; revising terminology; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing effective dates.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; Judiciary; and Appropriations.

By Senator Stargel—

SB 862—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to give parents of public school students, upon request, a performance evaluation for each classroom teacher assigned to their child; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible

student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the school district to submit an implementation plan to the state board; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; requiring the school district to give to a parent a teacher's performance evaluation upon request; providing that a student may not be assigned to an unsatisfactory teacher in a single subject for two consecutive school years; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thrasher—

SB 864—A bill to be entitled An act relating to coupons furnished by manufacturers, distributors, or importers of beer; amending s. 561.42, F.S.; prohibiting manufacturers or importers of beer from furnishing coupons redeemable by vendors; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Abruzzo—

SB 866—A bill to be entitled An act relating to the certified audit program; amending s. 213.21, F.S.; revising the amounts of interest liability that the Department of Revenue may abate for taxpayers participating in the certified audit program; authorizing a taxpayer to participate in the certified audit program after the department has issued notice of intent to conduct an audit of the taxpayer; amending s. 213.285, F.S.; conforming provisions; revising procedures, deadlines, and notice requirements for certified audits; authorizing the department to adopt rules prohibiting a qualified practitioner from representing a taxpayer in informal conference procedures under certain circumstances; amending s. 213.053, F.S.; conforming terminology; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 868—A bill to be entitled An act relating to English language instruction; amending s. 1002.20, F.S.; providing that a student's parent has the right to request that the student be exempted from instruction in English language proficiency; amending s. 1003.56, F.S.; requiring the school district to exempt a student from participating in instruction in English language proficiency if the student's parent requests the exemption in writing; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Sobel—

SB 870—A bill to be entitled An act relating to eminent domain; amending s. 73.013, F.S.; providing an exception to restrictions on

eminent domain; permitting the conveyance of property by a condemning authority under certain circumstances when the property is condemned pursuant to a noise mitigation or noise compatibility program at an airport governed by Federal Aviation Administration requirements; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Rules.

By Senators Abruzzo, Thompson, Evers, and Altman—

SB 872—A bill to be entitled An act relating to animal shelters or animal control agencies; providing a short title; amending s. 823.15, F.S.; requiring each duly incorporated society for the prevention of cruelty to animals, humane society, pound, shelter, or dog control officer that euthanizes dogs or cats or both to compile monthly and annual summaries; listing the categories of information required in the summaries; requiring each summary to be signed by the appropriate executive director of the entity as true and accurate; requiring that the summaries be posted on the entity's website within a specified time period; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Rules.

By Senator Galvano—

SB 874—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions prohibiting a person from allowing a party to take place if a minor is in possession of or consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Judiciary.

By Senator Stargel—

SB 876—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent are not necessary for such an offense; providing exceptions; providing a definition; amending ss. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term "unborn child" for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother; and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Judiciary; and Appropriations.

By Senator Galvano—

SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date;

amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; revising the legislative intent with regard to the state's K-20 education performance accountability system; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; requiring the Department of Education to share education records of students which may contain students' personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; requiring a school that is eligible to receive a school grade to be a fully functioning, stand-alone school; requiring each district school board to identify schools within schools operating at the same physical location if such schools have different school identification numbers; requiring each district school board to report to the Department of Education the appropriate accountability school type during the department's annual review of accountability school types; requiring that a school must be reported as the home school and the other schools reported as schools-within-a-school if more than one school serving the same grade levels is operating in the same physical location; providing that performance data for students enrolled at schools within schools must be assigned to the reported home school for inclusion in the home school's grade; providing an effective date.

—was referred to the Committees on Education; and Rules.

By Senator Ring—

SB 880—A bill to be entitled An act relating to offender reentry programs; creating s. 397.755, F.S.; directing the Department of Corrections to create a reentry program; providing eligibility criteria for the program; requiring a recommendation for reentry at the time of sentencing in order for the offender to participate in the program; clarifying that the sentencing court is not required to recommend reentry; requiring the department to place the offender into the in-prison treatment component at a specified time; directing the department to prepare a postrelease treatment plan; requiring that the offender be examined by the appropriate personnel in the case of medical or other problems; providing that an offender in the in-prison component is subject to the rules of conduct established by the department and may have sanctions imposed, including loss of privileges and protective confinement; providing requirements before transitioning the offender into the community; requiring the offender to abide by the order of supervision and the rules of the department; providing that violation of any condition or order may result in imposition of any authorized sentence by the court; providing that the offender's case will be transferred to drug court, if applicable; providing that the department is responsible for collecting the cost of supervision from the offender, including court costs and fines; authorizing the department to develop performance-based contracts to supply services to the program; permitting the department to establish a system of incentives in the program to promote participation in reentry

programs; providing that the section does not confer any right to placement in the reentry program; directing the department to track recidivism and recommitment of offenders who have participated in the program; requiring an annual report to the Governor and Legislature; authorizing rulemaking; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations; and Rules.

By Senator Gibson—

SB 882—A bill to be entitled An act relating to administering county and municipal delinquency programs and facilities; amending s. 985.688, F.S.; deleting language that required the Department of Juvenile Justice to charge, and the county or municipal government to pay, a monitoring fee to cover a portion of the direct operating costs of the juvenile detention facility; establishing criteria to demonstrate that the county or municipality is in compliance with standards for operating juvenile delinquency programs and detention facilities; deleting a provision providing that a sheriff who complies with the subsection is not subject to any additional training, procedures, or inspections; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Rules.

By Senator Sachs—

SB 884—A bill to be entitled An act relating to the Florida Salutes Veterans license plate; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of the Florida Salutes Veterans license plate; providing an effective date.

—was referred to the Committees on Transportation; Rules; and Appropriations.

By Senator Thrasher—

SB 886—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; deleting a provision prohibiting the discussion of a patient's medical condition; providing circumstance under which patient records may be released without prior written authorization; revising conditions under which confidential patient information acquired in the course of care or treatment may be disclosed by a health care practitioner; amending s. 766.102, F.S.; establishing standard of proof in actions based on the failure of a health care provider to order, perform, or administer certain tests; shifting burden of proof to claimant; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an ex parte interview with a claimant's treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization for release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct ex parte interviews with the claimant's health care providers; creating s. 766.1091, F.S.; authorizing a health care provider or health care clinic and a patient or prospective patient to agree to submit a claim of medical negligence to arbitration; requiring that the arbitration agreement be governed by ch. 682, F.S.; authorizing the arbitration agreement to contain a provision that limits an award of damages; amending s. 768.0981, F.S.; prescribing limitations on medical negligence actions against hospitals; providing an effective date.

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

By Senators Braynon and Bullard—

SB 888—A bill to be entitled An act relating to elections; creating s. 97.0111, F.S.; providing legislative intent; amending s. 97.041, F.S.; revising the qualifications to register to vote; authorizing a person who has been convicted of a felony and has served his or her sentence to pre-register to vote; amending s. 97.052, F.S.; revising the uniform statewide voter registration application; amending s. 97.053, F.S.; revising what constitutes a complete voter registration application; amending s. 97.057, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to automatically register to vote or update a voter registration record of an eligible individual; requiring the department to notify the individual that certain information gathered for the completion of a driver license or identification card application, renewal, or change of address is automatically transferred to a voter registration application or used to update a voter registration record; requiring a driver license examiner to notify an applicant that, by applying for, renewing, or updating a driver license or identification card, the applicant is consenting to automatically register to vote or update his or her voter registration record; authorizing an applicant to revoke consent to automatically register to vote or update a voter registration record; requiring that an applicant who fails to designate party affiliation be registered without party affiliation; amending s. 98.035, F.S.; revising the requirements of the statewide voter registration system; amending s. 98.045, F.S.; revising the eligibility requirements for applicants for voter registration; revising procedures for removal of registered voters; amending s. 98.075, F.S.; revising procedures for ineligibility determinations of registered voters; amending s. 101.045, F.S.; authorizing an elector to vote a regular ballot at the polling place in the precinct to which he or she has moved by completing an affirmation; deleting a requirement that the elector's change of residence must occur within the same county for the elector to be able to vote in the new precinct; providing an effective date.

—was referred to the Committees on Ethics and Elections; Transportation; Appropriations; and Rules.

By Senator Braynon—

SB 890—A bill to be entitled An act relating to false personation; amending s. 843.08, F.S.; prohibiting a person from falsely personating a firefighter or certain law enforcement officers if his or her action could deceive a reasonable person into believing that he or she was a bona fide official; amending s. 843.085, F.S.; prohibiting operation or ownership of a motor vehicle falsely marked in a way which could deceive a reasonable person into believing that such vehicle is authorized by a fire department for use by the person operating it; providing an exception; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Braynon—

SB 892—A bill to be entitled An act relating to college and career readiness; creating s. 1003.499, F.S.; requiring each school district to offer high school students a college and career readiness course; providing course requirements; requiring students to take an interest assessment and develop a curriculum plan before taking the course; specifying components of the course curriculum and activities; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Braynon—

SB 894—A bill to be entitled An act relating to community health workers; providing definitions; specifying the duties and activities of community health workers; creating the Community Health Worker Task Force within a state college or university; requiring the Department of Health to provide administrative support and services; providing membership and duties of the task force; requiring the members of the task force to elect a chair and vice chair; providing that task force members serve without compensation and are not entitled to re-

imbursement for per diem or travel expenses; requiring that the task force meet at least quarterly; specifying the number of members required for a quorum; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing an effective date.

—was referred to the Committees on Health Policy; Education; Community Affairs; and Rules.

By Senator Garcia—

SB 896—A bill to be entitled An act relating to prepaid dental plans; amending s. 409.912, F.S.; postponing the scheduled repeal of a provision requiring the Agency for Health Care Administration to contract with dental plans for dental services on a prepaid or fixed-sum basis; authorizing the agency to provide a prepaid dental health program in Miami-Dade County on a permanent basis; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Joyner—

SB 898—A bill to be entitled An act relating to health care coverage; requiring health insurers, corporations, and health maintenance organizations issuing certain health policies to provide coverage for telemedicine services; providing definitions; prohibiting the exclusion of telemedicine cost coverage solely because the services were not provided face to face; specifying conditions under which an insurer, corporation, or health maintenance organization must reimburse a telemedicine provider for certain fees and costs; authorizing provisions requiring a deductible, copayment, or coinsurance requirement for telemedicine services under certain circumstances; prohibiting the imposition of certain dollar and durational coverage limitations or copayments, coinsurance, or deductibles on telemedicine services unless imposed equally on all terms and services; providing for applicability and construction; requiring a utilization review under certain circumstances; providing coverage under the state plan or a waiver for health home services provided to eligible individuals with chronic conditions; requiring the Department of Health to conduct an interagency study relating to telemedicine services and coverage; requiring a report to the Legislature; authorizing the department to adopt rules in consultation with certain boards; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

SR 900—Not referenced.

By Senator Brandes—

SB 902—A bill to be entitled An act relating to the sale of liquid fuels; amending s. 526.141, F.S.; requiring self-service stations to display on each pump a decal containing a telephone number to enable certain handicapped persons to seek assistance from the station attendant; requiring the Department of Agriculture and Consumer Services to provide decals and instructions; providing for enforcement by the department; providing for the adoption of rules; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brandes—

SB 904—A bill to be entitled An act relating to education; creating s. 1007.012, F.S.; creating the Florida Flexible Option Initiative; providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to satisfy certain requirements; defining the term “Florida-accredited charter course” as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited charter courses and their assessments be

annually identified, approved, published, and shared for consideration by certain students and entities; requiring the Commissioner of Education and the Chancellor of the State University System to approve each Florida-accredited charter course and its assessments; requiring the Articulation Coordinating Committee to annually publish and share a list of approved Florida-accredited charter courses, their assessments, and other courses; amending s. 1008.24, F.S.; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited charter courses; authorizing the Department of Education to contract for these services on behalf of the state or a school district, Florida College System institution, or state university; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; providing an effective date.

—was referred to the Committees on Education; and Rules.

By Senator Bean—

SB 906—A bill to be entitled An act relating to trust funds of the Department of Veterans' Affairs; amending s. 215.22, F.S.; exempting trust funds administered by the department from the service charge representing the estimated pro rata share of the cost of general government paid from the General Revenue Fund; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 908—A bill to be entitled An act relating to state technology; abolishing the Agency for Enterprise Information Technology; transferring the personnel, functions, and funds of the agency to the Agency for State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Agency for State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the agency; repealing s. 14.204, F.S., relating to the Agency for Enterprise Information Technology; creating s. 14.206, F.S.; creating the Agency for State Technology; providing for organization of the agency; providing for an executive director who shall be the state's Chief Information Officer; providing duties and responsibilities of the executive director; specifying the officers and divisions of the agency; prohibiting the agency from using certain trust funds for certain purposes; authorizing the agency to adopt rules; reordering and amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; revising provisions for assignment of enterprise information technology services; directing the agency to establish a process for enterprise information technology services; requiring the agency and state agencies to create operational plans for service consolidation and specifying the components of such plans; requiring the agency to develop a comprehensive transition plan for consolidation and submit such plan to the Governor, the Cabinet, and the Legislature by a certain date; specifying the components of the plan; providing duties for state agencies relating to the transition plan; prohibiting state agencies from engaging in certain technology-related activities; providing exceptions; amending s. 282.0056, F.S.; requiring the agency executive director to develop a biennial state Information Technology Strategic Plan for approval by the Governor and the Cabinet; specifying the elements of the plan; requiring state agencies to submit their own biennial information technology plans and any requested information to the agency; revising provisions relating to the development of work plans and implementation plans; revising provisions for reporting on the work plan; amending s. 282.201, F.S.; revising provisions relating to the state data center system; providing legislative intent; providing agency duties, including directing the agency to provide recommendations to the Governor and Legislature relating to changes to the schedule for the consolidations of data centers; providing state agency duties for consolidating a data center into a shared resource center; suspending the consolidations scheduled for state agency data centers for a specified period; amending s. 282.203, F.S.; revising duties of shared resource centers; removing provisions establishing boards of

trustees to head centers; requiring a memorandum of understanding between the shared resource center and the participating state agency; limiting the term of the memorandum; providing for failure to enter into a memorandum; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services; directing the center to collaborate with the agency; directing the center to provide colocation services to the Department of Legal Affairs, the Department of Agriculture and Consumer Services, and the Department of Financial Services; directing the Department of Financial Services to continue to use the center and provide service to the Office of Financial Regulation and the Office of Insurance Regulation and host the Legislative Appropriations System/Planning and Budgeting Subsystem; providing for governance of the center; providing for a steering committee to ensure adequacy and appropriateness of services; directing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center by certain dates; amending s. 282.318, F.S.; providing that certain departments are exempted from the executive-level state agencies for whom the agency establishes rules and guidelines relating to security; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.702, 20.22, 110.205, 215.22, 215.322, 216.292, 282.604, 282.703, 282.704, 282.705, 282.706, 282.707, 282.709, 282.7101, 282.711, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 401.465, 445.011, 445.045, and 668.50, F.S.; conforming provisions and cross-references to changes made by the act; revising and deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Abruzzo—

SB 910—A bill to be entitled An act relating to the sale of liquid fuels; requiring the Department of Agriculture and Consumer Services to inspect certain gasoline pumps on at least an annual basis; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Abruzzo—

SM 912—A memorial to the Congress of the United States, urging Congress to adequately restore funding to the Supportive Housing for the Elderly Program.

—was referred to the Committees on Children, Families, and Elder Affairs; and Community Affairs.

By Senator Latvala—

SB 914—A bill to be entitled An act relating to substance abuse treatment services; providing a short title; amending s. 28.241, F.S.; revising the filing fee for involuntary admissions proceedings for substance abuse treatment; providing for the distribution of proceeds from the fee; amending ss. 397.6772, 397.6773, 397.6797, and 397.6798, F.S.; increasing the period allowed for assessment of a person following involuntary custody or admission to a hospital or other facility; conforming provisions; amending s. 397.754, F.S.; specifying requirements for the initial processing of inmates by the Department of Corrections for substance abuse needs; providing that, to the fullest extent practicable, inmates be given the choice between faith-based and nonfaith-based substance abuse programs; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Appropriations.

By Senators Flores and Benacquisto—

SB 916—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing, wallets, bags, school supplies, personal computers, and personal computer related accessories are exempt from the sales tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Garcia—

SB 918—A bill to be entitled An act relating to public depositories; amending s. 280.02, F.S.; revising definitions applicable to the Florida Security for Public Deposits Act; amending ss. 280.03, 280.052, 280.053, 280.07, 280.10, and 280.13, F.S.; conforming terminology to changes made by the act; amending s. 280.16, F.S.; revising credit union reporting requirements; amending s. 280.17, F.S.; revising evidence of insurance required to be submitted by a public depositor to the Chief Financial Officer; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Rules.

By Senator Detert—

SB 920—A bill to be entitled An act relating to the State University System; creating s. 1009.245, F.S.; requiring tuition and fees assessed to an undergraduate student to remain constant and not exceed the rate assessed upon initial enrollment under specified circumstances; providing for prospective application; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senators Bradley, Bean, and Dean—

SB 922—A bill to be entitled An act relating to professional sports franchise facilities; amending ss. 288.1162 and 212.20, F.S.; authorizing an applicant previously certified as a facility for a new or retained professional sports franchise to receive an additional certification under certain circumstances, and to receive a monthly distribution of a specified amount of sales tax revenues, to improve the conditions of the facility to meet or exceed certain facility standards; defining the term “facility standards”; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Latvala—

SB 924—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between

a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations; and Rules.

By Senator Detert—

SB 926—A bill to be entitled An act relating to the Commission on Ethics; amending ss. 55.10 and 55.202, F.S.; authorizing the commission to acquire liens on real and personal property for certain fines imposed by final order of the commission; amending s. 55.209, F.S.; conforming a cross-reference; amending s. 112.3143, F.S.; providing a definition; providing circumstances under which a state public officer who holds an elective office must disclose certain interests when voting on a matter; prohibiting a state public officer who holds an appointive position from voting upon certain matters; requiring disclosure of certain interests of a state public officer holding an appointive position and a county, municipal, or other local public officer; prohibiting a state public officer holding an appointive position and a county, municipal, or other local public officer from participating in certain matters that would inure to his or her gain or that of others; providing exceptions; amending s. 112.324, F.S.; expanding the authority of the commission to initiate an investigation of an alleged violation or breach of the public trust upon the receipt of a written referral from certain individuals and which seven members of the commission deem sufficient; requiring the transmission of a referral to an alleged violator under certain circumstances; amending s. 411.01, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Appropriations; and Rules.

By Senator Simpson—

SB 928—A bill to be entitled An act relating to community development; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; amending s. 212.08, F.S.; revising criteria for community contribution tax credit for donations; amending ss. 220.183 and 624.5105, F.S.; extending the expiration date applicable to the granting of community contribution tax credits against the sales and use tax, corporate income tax, and insurance premium tax for contributions to eligible sponsors of community projects approved by the Department of Economic Opportunity; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation’s strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation’s development of its long-range plan; revising the required contents and information to be included in the corporation’s annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the HOPE program; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Simmons—

SB 930—A bill to be entitled An act relating to the use of deadly force; amending ss. 30.60 and 166.0485, F.S.; requiring the county sheriff or municipal police department to issue reasonable guidelines for the operation of neighborhood crime watch programs; providing that the guidelines are subject to reasonable exceptions; amending s. 776.032, F.S.; providing that a person who is justified in using force is immune from criminal prosecution and civil action initiated by the person against whom the force was used; defining the term “criminal prosecution”; clarifying that a law enforcement agency retains the right and duty to fully investigate the use of force upon which an immunity may be claimed; amending s. 776.041, F.S.; providing that any reason, including immunity, used by an aggressor to justify the use of force is not available to the aggressor under specified circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

SR 932—Not referenced.

By Senator Lee—

SB 934—A bill to be entitled An act relating to stormwater management permits; creating s. 373.41305, F.S.; authorizing certain municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects; providing requirements for establishment of such permits by water management districts in consultation with the Department of Environmental Protection; providing that certain urban redevelopment projects qualify for a noticed general permit; prohibiting provisions for such permits from conflicting with specified federally delegated pollution reduction programs; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

By Senator Lee—

SB 936—A bill to be entitled An act relating to the Holocaust Victims Assistance Act; amending s. 626.9543, F.S.; revising the short title; broadening the act to include financial claims and assets and other property, and to address the effect of nonpayment of claims or nonreturn of property on victims; deleting a time limitation on insurers for providing certain information to the Department of Financial Services and requiring insurers to provide a report under certain circumstances; revising the content and timing of the annual report to the Legislature; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Dean—

SB 938—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term “occupancy”; creating s. 513.013, F.S.; providing legislative intent; providing for the regulation of recreational vehicle parks and recreational camps by the Department of Health; providing uniform standards; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Bullard—

SB 940—A bill to be entitled An act relating to canned or perishable food distributed free of charge; amending s. 768.136, F.S.; limiting the liability of public schools with respect to the donation of canned or perishable food to charitable or nonprofit organizations; revising a definition; authorizing a public school to donate food if the school meets food protection requirements adopted by the district school board; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Judiciary.

By Senator Diaz de la Portilla—

SB 942—A bill to be entitled An act relating to grandfathering registered contractors; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; providing an effective date.

—was referred to the Committees on Regulated Industries; and Governmental Oversight and Accountability.

By Senators Grimsley, Braynon, and Soto—

SB 944—A bill to be entitled An act relating to concrete masonry products; providing a short title; creating the Florida Concrete Masonry Council, Inc.; authorizing the council to levy an assessment on the sale of concrete masonry units under certain circumstances; providing the powers and duties of the council and restrictions upon actions of the council; providing for appointment of the governing board of the council; authorizing the council to submit a referendum to manufacturers of concrete masonry units for authorization to levy an assessment on the sale of concrete masonry units; providing procedure for holding the referendum; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing requirements for the manufacturer’s collection of assessments; authorizing the council to initiate legal action against a manufacturer under certain conditions; providing a procedure for manufacturers to petition for a referendum to continue the assessment; requiring the council to adopt bylaws; providing an effective date.

—was referred to the Committees on Community Affairs; and Regulated Industries.

By Senator Simmons—

SB 946—A bill to be entitled An act relating to computer or electronic device harassment; creating s. 847.0042, F.S.; prohibiting knowing use of a computer or other device to transmit or post any photograph or video of an individual which depicts nudity and contains specified information relating to the depicted individual without first obtaining the depicted person’s written consent; providing an exception; providing criminal penalties; providing enhanced penalties for violations by persons 18 years of age or older involving victims younger than 16 years of age; providing for jurisdiction; amending s. 921.244, F.S.; providing that a person convicted of a violation of s. 847.0042, F.S., be ordered to have no contact with the victim; providing criminal penalties for violation of such an order; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Grimsley—

SB 948—A bill to be entitled An act relating to water supply; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs require the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; providing that the governing board of a water management district shall assist self-suppliers, among others, in meeting water

supply demands in a manner that will give priority to encouraging conservation and reducing adverse environmental effects; providing that the governing board of a water management district may contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; providing that certain planning by the governing board of a water management district must be conducted in coordination and cooperation with the Department of Agriculture and Consumer Services, among other interested parties; requiring that certain agricultural demand projections be based upon the best available data and providing considerations to determine the best available data; requiring certain information if there is a deviation from the data provided by the Department of Agriculture and Consumer Services; authorizing certain users to propose specific projects for inclusion in the list of water supply development project options; removing references to alternative water supply projects; requiring water management districts to assist in developing multijurisdictional approaches to water supply project development jointly with affected self-suppliers in certain areas; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program that includes certain data; providing criteria for development of data; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Agriculture.

By Senator Braynon—

SB 950—A bill to be entitled An act relating to photographic enforcement on school buses; amending s. 316.003, F.S.; defining the term “school bus safety camera” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.008, F.S.; authorizing a school board to authorize use of school bus safety cameras to enforce specified provisions requiring a motor vehicle to stop behind a school bus stop signal; creating s. 316.0084, F.S.; creating the School Bus Safety Camera Program; providing for use of cameras installed on a school bus to provide evidence of a violation when a driver fails to stop behind the bus while the bus stop signal is displayed; requiring a school board to authorize use of such cameras by adopting a resolution; providing for the school board to enter into an agreement with a vendor for the installation, operation, notice processing, and administration and maintenance of the school bus safety camera program and with the county sheriff for operation and enforcement of the program; providing for a fine and the distribution of fines collected; providing procedures for enforcement and payment of fines; providing penalties for submission of a false affidavit establishing an exemption; providing for responsibility to pay the fine and specified fees; requiring the sheriff’s office to issue a traffic citation in certain circumstances; providing that the images or video identified in the traffic citation raises a rebuttable presumption of a violation; authorizing the sheriff’s office to issue a citation to the operator of a motor vehicle in certain circumstances; providing for the distribution of fines; authorizing the sheriff’s office to contract for certain administrative requirements; requiring such cameras to meet specifications adopted by rule of the Department of Education; requiring the department to adopt such rules by a certain date; providing for applicability; amending s. 316.650, F.S.; providing procedures for transmission of citation data to the court; amending s. 316.655, F.S.; providing an exception to certain penalties; amending ss. 318.14 and 318.19, F.S.; providing exceptions to certain traffic infraction disposition procedures; amending s. 318.15, F.S.; providing procedures that apply upon failure to comply with civil penalty for failing to stop behind a school bus displaying a stop signal or by passing a school bus before the stop signal has been withdrawn when such violations are enforced under specified provisions; amending s. 320.03, F.S.; restricting issuance of a license plate or validation sticker until outstanding fines and fees are paid; providing an effective date.

—was referred to the Committees on Education; Transportation; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simmons—

SB 952—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the “Central Florida Expressway System”; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central

Florida Expressway Authority; providing for the transfer of governance, and control, legal rights and powers, responsibilities, terms, and obligations to the authority; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; prohibiting the authority from spending funds for SunRail; limiting the use of certain electronic tolls collected in Orange County to projects built in that county; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the Central Florida Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, and 348.765, F.S.; conforming terminology and making technical changes; providing for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of Part V of Chapter 348 when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Appropriations.

By Senator Gardiner—

SB 954—A bill to be entitled An act relating to the Technological Research and Development Authority; amending s. 320.08058, F.S.; deleting provisions for distribution by the Department of Highway Safety and Motor Vehicles to the authority of Challenger/Columbia license plate user fees; conforming provisions; amending s. 379.2202, F.S.; deleting provisions for distribution by the Fish and Wildlife Conservation Commission to the authority of saltwater license and permit fees; amending s. 112.3148, F.S., relating to giving gifts to certain officers or candidates for office and to procurement employees; deleting reference to the authority; providing contingent effective dates.

—was referred to the Committees on Transportation; and Rules.

By Senator Bean—

SB 956—A bill to be entitled An act relating to extracurricular activities; amending s. 1002.20, F.S.; providing that K-12 public school students who meet certain requirements have a right to participate in extracurricular activities; amending s. 1006.15, F.S.; authorizing public school students attending a public school that does not offer a particular extracurricular activity to participate in that extracurricular activity at another school, subject to certain requirements; deleting a criterion for students who are enrolled in non-FHSAA member private schools to participate in interscholastic or intrascholastic sports; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term “oil”; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and

providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; providing that the department's authority must be self-executing and that a regulatory action may not be deemed invalid solely because the department has not yet adopted a certain rule; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; limiting the right of a county or municipality to regulate natural gas storage facilities; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through an administrative hearing; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; providing that the department may consider the need for the operation as a unit for the storage of natural gas; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.29, F.S.; authorizing certain agreements between owners and operators of a natural gas storage facility; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S.; providing that natural gas storage facilities are subject to certain requirements; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Judiciary.

By Senator Bean—

SB 960—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending ss. 212.05 and 212.08, F.S.; providing an exemption from the tax for dyed diesel fuel used in certain vessels in a specified manner and for a specified purpose; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Gardiner—

SB 962—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; providing that an arrest warrant is deemed electronically issued and signed by a judge at the time the judge affixes his or her electronic signature to the warrant; defining the term “electronic signature”; amending s. 933.07, F.S.; providing that a search warrant is deemed electronically issued and signed by a judge at the time the judge affixes his or her electronic signature to the warrant; defining the term “electronic signature”; providing an effective date.

—was referred to the Committees on Judiciary; and Criminal Justice.

By Senator Abruzzo—

SB 964—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that a parent's rights may be terminated if the court determines, by clear and convincing evidence, that the child was conceived during an act of sexual battery, the parent is found guilty of sexual battery, or the court is presented with documentary evidence that the parent pled guilty to the charge of sexual battery; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Judiciary.

By Senator Bean—

SB 966—A bill to be entitled An act relating to health care; amending ss. 154.11, 394.741, 395.3038, 397.403, 400.925, 400.9935, 402.7306, 408.05, 409.966, 409.967, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to a redefinition of the term “accrediting organizations” in s. 395.002, F.S.; relating to hospital licensing and regulation; creating s. 385.2035, F.S.; designating the Florida Hospital Sanford-Burnham Translational Research Institute for Metabolism and Diabetes as a resource for diabetes research in this state; providing an effective date.

—was referred to the Committees on Health Policy; and Appropriations.

By Senator Brandes—

SB 968—A bill to be entitled An act relating to school curriculum; providing a definition; creating a pilot project for students to earn micro-credits for participating in certain activities; requiring the Department of Education to administer a pilot project in a school district of its choice and to adopt rules regarding the activities for which students can earn micro-credits; establishing minimum requirements; requiring the department, the State Board of Education, and the Board of Governors of the State University System to study the potential of alternative credit hours at the postsecondary level and release their respective findings by a certain date; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Brandes—

SM 970—A memorial to the Congress of the United States, urging Congress to propose to the states an amendment to the Constitution of the United States that would limit the consecutive terms of office which a member of the United States Senate or the United States House of Representatives may serve.

—was referred to the Committees on Ethics and Elections; and Rules.

By Senator Hukill—

SB 972—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met; providing that a local government may accept contributions from multiple applicants for a planned improvement if it maintains such contributions in a separate account; providing that a local government that repeals transportation concurrency may not deny a development based on the adoption of an alternative transportation system if the developer agrees to enter into an agreement to pay for identified impacts of the proposed development; establishing certain requirements of such alternative transportation system; amending s. 163.3182, F.S.; expanding the types of transportation projects that a transportation development authority may undertake or carry out; amending s. 190.006, F.S.; modifying the method for filling positions within the board of supervisors; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Rules.

By Senator Sobel—

SB 974—A bill to be entitled An act relating to human trafficking; creating the “Florida Victim’s Relief Act”; creating s. 90.50355, F.S.; defining the terms “confidential communication,” “human-trafficking counselor,” “trained volunteer,” and “victim”; providing that a victim of human trafficking has a privilege to refuse to disclose, and to prevent any other person from disclosing, a confidential communication made by the victim to a human-trafficking counselor or trained volunteer or any record made in the course of advising, counseling, or assisting the victim; providing that the confidential communication or record may be disclosed only with the prior written consent of the victim; specifying by whom the privilege may be claimed; amending s. 772.104, F.S.; authorizing a court to award punitive damages to a person who proves by clear and convincing evidence that he or she has been subjected to sex trafficking or human trafficking; amending s. 787.06, F.S.; providing that in each instance in which a defendant pleads nolo contendere to, or is convicted of, or adjudicated delinquent for, the crime of human trafficking, the victim of that crime is entitled to all benefits, rights, and compensation granted pursuant to law; providing that a defendant may assert an affirmative defense that the person was acting under duress or coerced into committing the offense of human trafficking for which he or she is being subject to prosecution; creating s. 796.095, F.S.; authorizing a person convicted of committing the offense of prostitution and other sex crimes to file a motion to vacate the conviction if the person’s participation in the offense was the result of the person having been a victim of human trafficking or of a severe form of trafficking; requiring certain specified conditions be met in order to file the motion; requiring the court to hold a hearing on a motion to vacate the conviction; permitting the court to dismiss the motion to vacate the conviction without a hearing if the court finds that the motion fails to assert grounds on which relief may be granted; providing that the person filing a motion to vacate the conviction has the burden of proof by a preponderance of the evidence; providing that a minor is not required to show that force, fraud, or coercion was used against him or her at the time of the offense; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Children, Families, and Elder Affairs.

By Senator Sobel—

SB 976—A bill to be entitled An act relating to senior services; providing a short title; providing a definition; authorizing each county to create an independent special district by ordinance to provide funding for services for seniors; requiring elector approval to annually levy ad valorem taxes; requiring the district to comply with statutory requirements related to levying and fixing millage and filing financial or compliance reports; providing for the dissolution of the district; requiring the governing body of the county to periodically submit to the electorate the question of retention or dissolution of the district; creating a governing council for the district; specifying criteria for membership to the council; providing terms of office; requiring the council members to serve without compensation; specifying the powers and functions of the council; requiring the council to appoint a chair and vice chair and elect other officers, identify and assess the needs of seniors, provide training and orientation to new members of the council, make and adopt bylaws and rules for the council’s operation and governance, and provide an annual report to the county governing body; authorizing two or more districts to enter into cooperative agreements; requiring the council to maintain minutes of each meeting; requiring the council to prepare a tentative annual budget and compute a millage rate to fund the district; requiring that all tax moneys collected be paid directly to the council by the county tax collector and be deposited in qualified public depositories; requiring certain members to file a surety bond; specifying expenditures of funds; requiring the council to prepare and file quarterly financial reports with the county governing body; prohibiting the council from requiring certain matching funds; providing legislative intent with respect to the use of funds collected by the council; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 978—A bill to be entitled An act relating to the Springs Revival Act; creating s. 373.198, F.S.; requiring water management districts to identify certain springs, develop certain plans, and submit certain reports to the Governor and the Legislature; authorizing the districts to adopt rules and issue orders; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Senator Flores—

SB 980—A bill to be entitled An act relating to educational personnel evaluations; amending s. 1012.34, F.S.; authorizing a school district to reduce the percentage of the performance evaluation of instructional personnel which is based on student performance if the school district uses specified, multiple measures of instructional practice; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Gibson—

SB 982—A bill to be entitled An act relating to genetic information for insurance purposes; amending s. 627.4301, F.S.; prohibiting insurers authorized to transact insurance in this state from cancelling, limiting, denying coverage, or establishing differentials in premium rates, based on genetic information under certain circumstances; prohibiting insurers from requiring or soliciting genetic information or taking other specified actions with respect to genetic information for insurance purposes; deleting a definition to conform to changes made by the act; providing for applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Senator Richter—

SB 984—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for certain information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

By Senator Soto—

SB 986—A bill to be entitled An act relating to requirements for driver licenses; amending s. 322.08, F.S.; including notice of the approval of an application for Deferred Action for Childhood Arrivals status issued by the United States Citizenship and Immigration Services as valid proof of identity for purposes of applying for a driver license; reenacting ss. 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4), F.S., relating to conditions and limitations with respect to obtaining a duplicate or replacement instruction permit or driver license, expiration of and renewal of a driver license, and change of name or address on a driver license for licensees who establish their identity in a specified manner, to incorporate the amendments made by the act to s. 322.08, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Rules.

By Senator Joyner—

SB 988—A bill to be entitled An act relating to possession or discharge of a firearm or destructive device during the commission of specified offenses; amending s. 775.087, F.S.; providing that a sentencing court may elect not to impose the minimum term of imprisonment for persons convicted of certain offenses during which the person actually possessed or discharged a firearm or destructive device if the court finds that certain specified criteria are met; requiring a sentencing court that elects not to impose the mandatory minimum sentence for the relevant offense to make specific findings to support its decision to impose a lesser term; making grammatical and technical changes; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senator Bullard—

SB 990—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida, as amended; revising provisions relating to vacancies on the district's governing board; revising compensation of the governing board members; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Bullard—

SB 992—A bill to be entitled An act relating to the Statewide K-12 Education Commission; creating the Statewide K-12 Education Commission within the Department of Education; providing purposes; providing for terms, membership, and meetings; providing that members are entitled to reimbursement for travel expenses, subject to appropriations provided in the General Appropriations Act; providing duties; requiring that the commission submit a report to the Governor, Legislature, and State Board of Education by a specified date each year; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Thrasher—

SB 994—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 17.28, 23.1231, 43.291, 110.118, 112.361, 119.0712, 120.65, 201.165, 202.37, 207.021, 207.0281, 212.097, 212.098, 215.61, 238.03, 258.0165, 288.1045, 288.108, 288.706, 288.816, 316.0747, 316.525, 317.0005, 320.0657, 320.0848, 322.161, 324.0221, 339.2817, 339.55, 376.121, 376.317, 379.245, 380.0666, 391.304, 391.305, 393.0641, 395.0185, 395.605, 397.99, 397.998, 400.063, 400.176, 400.801, 402.22, 402.3025, 402.81, 403.7191, 409.2576, 409.2578, 409.441, 409.9101, 411.224, 414.158, 414.1585, 414.35, 415.1105, 420.5091, 430.708, 430.902, 443.1312, 443.1313, 455.2255, 456.053, 472.017, 489.146, 496.414, 497.381, 501.0583, 509.036, 548.024, 559.10, 561.41, 578.26, 582.055, 601.74, 601.76, 607.193, 624.487, 627.096, 627.212, 627.917, 633.445, 641.316, 655.922, 658.995, 668.704, 713.78, 713.785, 744.7021, 744.713, 766.304, 865.09, 943.0543, 943.0544, 944.095, 945.73, 946.525, 949.08, 985.66, 1011.48, 1011.51, 1011.765, 1012.467, and 1012.965, F.S.; and repealing ss. 112.358, 199.1851, 220.1501, 328.44, 328.50, 403.0861, 409.14511, 409.2675, 411.205, 553.897, 563.04, 564.04, 601.75, 601.77, 601.78, 627.793, 634.289, 663.319, and 984.05, F.S.; to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; amending ss. 213.053, 400.518, 556.116, 564.06, and 601.80, F.S.; to conform to the changes made in this act; providing an effective date.

—was referred to the Committee on Rules.

By Senator Soto—

SB 996—A bill to be entitled An act relating to the Tohopekaliga Water Authority, Osceola County; amending chapter 2003-368, Laws of Florida; revising the terms of members of the authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Soto—

SB 998—A bill to be entitled An act relating to juvenile offenders; providing a short title; creating s. 985.4555, F.S.; providing definitions; providing that a juvenile offender who was younger than 18 years of age at the time of the commission of a nonhomicide or homicide offense and who is sentenced to life imprisonment is eligible for resentencing if the offender has been incarcerated for a minimum period; requiring that the Department of Corrections conduct a screening to determine whether a juvenile offender is eligible for a resentencing hearing; providing that a juvenile offender is entitled to legal representation for a resentencing hearing; requiring the court to appoint a public defender to represent the juvenile if the juvenile cannot afford to pay for counsel; providing criteria for the judge to determine maturity and reform; requiring a minimum term of probation for a juvenile offender resented by the court; providing eligibility for a subsequent resentencing hearing after a specified period for a juvenile offender denied resentencing; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Gibson—

SB 1000—A bill to be entitled An act relating to regulation of firearms; creating s. 790.339, F.S.; defining “preventative assessment”; providing that it is unlawful for a person to own or have in his or her care, custody, possession, or control any firearm or ammunition, or to carry a concealed weapon or firearm, for a period of 90 days if the person is the subject of a preventative assessment received by the Department of Law Enforcement; providing restrictions to be imposed by the department upon receipt of a preventative assessment; providing for removal of restrictions; providing a penalty; reenacting and amending s. 790.065, F.S.; requiring the department to review records to determine if a potential firearms purchaser or transferee has received a preventative assessment; defining “preventative assessment”; providing for the inclusion of persons who are the subject of a preventative assessment within the department's automated database of persons who are prohibited from purchasing a firearm; providing requirements for reporting a preventative assessment and the contents thereof; requiring the department to delete any mental health record of a person subject to a preventative assessment after a specified period of time; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senator Soto—

SB 1002—A bill to be entitled An act relating to the procurement of professional architectural, engineering, landscape architectural, or surveying and mapping services; amending s. 287.055, F.S.; revising the definition of the term “continuing contract” and defining the term “best value selection”; clarifying provisions with respect to selection of firms by an agency under the competitive selection process; providing that an agency has the right to reject any or all submissions received in response to a public announcement under the competitive selection process; authorizing an agency to award contracts to multiple firms under the competitive negotiation process; providing for a best value selection process; requiring agencies to adopt rules governing the use of the pro-

cess; providing minimum requirements with respect to best value selection procedures; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Regulated Industries; Community Affairs; and Rules.

By Senator Brandes—

SB 1004—A bill to be entitled An act relating to public data; providing definitions; requiring each agency to submit an inventory of public data in its custody to the Secretary of State; specifying the information that must be included in each inventory; requiring the Secretary of State to establish a website by a specified date; establishing website requirements; authorizing the Department of State to use fees collected and deposited in the Records Management Trust Fund to pay for the administration of the website; granting rulemaking authority to the department; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Lee—

SB 1006—A bill to be entitled An act relating to tax credits or refunds; reordering and amending s. 212.17, F.S.; providing procedures, requirements, and calculation methodologies that allow dealers or lenders to obtain tax credits or refunds for taxes paid on worthless or uncollectable private-label credit card or dealer credit card program accounts or receivables; providing definitions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Ring—

SB 1008—A bill to be entitled An act relating to student loans; creating s. 43.45, F.S.; providing definitions; providing for a financial assistance program administered by the Justice Administrative Commission and the Office of the Attorney General to assist a career assistant state attorney, assistant public defender, assistant attorney general, or assistant statewide prosecutor in the repayment of eligible student loans; establishing provisions for program administration; requiring the administering body to make a payment of a certain amount based on the length of employment as an eligible career attorney; providing for funding; requiring the Justice Administrative Commission and the Office of the Attorney General to develop procedures to administer the program; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Appropriations.

By Senator Ring—

SB 1010—A bill to be entitled An act relating to health insurance coverage for prescription drugs; amending ss. 627.6487, 627.6699, and 641.31, F.S.; prohibiting higher copayments, deductibles, coinsurance, or similar charges for nonpreferred prescription drugs as compared to preferred prescription drugs; requiring the Agency for Health Care Administration, with the assistance of the Office of Insurance Regulation, to conduct a study and submit a report to the Governor and Legislature by a certain date; providing effective dates.

—was referred to the Committees on Banking and Insurance; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Hays—

SB 1012—A bill to be entitled An act relating to the Economic Gardening Technical Assistance Program; amending s. 288.1082, F.S.; expanding the Economic Gardening Technical Assistance Pilot Program into a statewide program; requiring the Department of Economic Op-

portunity to contract with the Florida Economic Gardening Institute at the University of Central Florida to administer the program; revising and providing eligibility requirements for the program; providing definitions; amending s. 288.1081, F.S.; conforming a reference to the Economic Gardening Technical Assistance Pilot Program to changes made by the act; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Garcia—

SB 1014—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements the initial screenings for a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant in a treatment-based drug court program; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 1016—A bill to be entitled An act relating to sovereign immunity for dentists and dental hygienists; amending s. 766.1115, F.S.; revising a definition; defining the term “uncompensated services” as it relates to the liability of health care providers licensed under ch. 466, F.S., who are agents of governmental contractors; providing that the contribution to the dental laboratory expenses associated with the care of a patient is not considered compensation for the services; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 1018—A bill to be entitled An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; providing that except as otherwise expressly prohibited by the State Constitution, the municipalities and counties of this state may regulate the field of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation of firearms and ammunition; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Rules.

By Senator Hays—

SB 1020—A bill to be entitled An act relating to banking; amending s. 655.005, F.S.; adding and revising definitions; amending s. 655.041, F.S.; prohibiting the Office of Insurance Regulation from initiating an administrative proceeding while a person is subject to a federal proceeding on the same grounds; amending s. 655.85, F.S.; clarifying that an institution may impose a fee for the settlement of a check under certain circumstances; providing legislative intent; amending s. 655.968, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Senator Bullard—

SB 1022—A bill to be entitled An act relating to the death penalty; amending s. 775.082, F.S.; deleting provisions providing for the death penalty for capital felonies; deleting provisions relating to the effect of a declaration by a court of last resort that the death penalty in a capital felony is unconstitutional; amending ss. 27.51 and 27.511, F.S.; deleting provisions relating to representation in death penalty cases; repealing ss. 27.7001, 27.7002, 27.701, 27.702, 27.703, 27.704, 27.705, 27.706, 27.707, 27.708, 27.7081, 27.7091, 27.710, 27.711, and 27.715, F.S., relating to capital collateral representation; amending s. 119.071, F.S.; deleting a public records exemption relating to capital collateral proceedings; amending s. 282.201, F.S.; conforming a provision to changes made by the act; amending ss. 775.15 and 790.161, F.S.; deleting provisions relating to the effect of a declaration by a court of last resort declaring that the death penalty in a capital felony is unconstitutional; repealing s. 913.13, F.S., relating to jurors in capital cases; repealing s. 921.137, F.S., relating to prohibiting the imposition of the death sentence upon a defendant with mental retardation; repealing s. 921.141, F.S., relating to determination of whether to impose a sentence of death or life imprisonment for a capital felony; repealing s. 921.142, F.S., relating to determination of whether to impose a sentence of death or life imprisonment for a capital drug trafficking felony; amending ss. 394.912, 782.04, 782.065, 794.011, and 893.135, F.S.; conforming provisions to changes made by the act; repealing ss. 922.052, 922.06, 922.07, 922.08, 922.095, 922.10, 922.105, 922.108, 922.11, 922.111, 922.12, 922.14, and 922.15, F.S., relating to issuance of warrant of execution, stay of execution of death sentence, proceedings when a person under sentence of death appears to be insane, proceedings when a person under sentence of death appears to be pregnant, grounds for death warrant, execution of death sentence, prohibition against reduction of death sentence as a result of determination that a method of execution is unconstitutional, sentencing orders in capital cases, regulation of execution, transfer to state prison for safekeeping before death warrant issued, return of warrant of execution issued by Governor, sentence of death unexecuted for unjustifiable reasons, and return of warrant of execution issued by Supreme Court, respectively; amending s. 924.055, F.S.; deleting provisions relating to legislative intent concerning appeals and postconviction proceedings in death penalty cases; repealing ss. 924.056 and 924.057, F.S., relating to commencement of capital postconviction actions for which sentence of death is imposed on or after January 14, 2000, and limitation on postconviction cases in which the death sentence was imposed before January 14, 2000, respectively; amending ss. 924.058 and 924.059, F.S.; conforming provisions to changes made by the act; amending s. 925.11, F.S.; deleting provisions relating to preservation of DNA evidence in death penalty cases; amending s. 945.10, F.S.; deleting a public records exemption for the identity of executioners; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

By the Committee on Commerce and Tourism—

SB 1024—A bill to be entitled An act relating to the Department of Economic Opportunity; amending ss. 20.60, 288.906, and 288.907, F.S.; revising requirements for various annual reports submitted to the Governor and Legislature, including the annual report of the Department of Economic Opportunity, the annual report of Enterprise Florida, Inc., and the annual incentives report; consolidating the reporting requirements for various economic development programs into these annual reports; amending ss. 220.194, 288.012, 288.061, and 288.0656, F.S.; conforming provisions to changes made by the act; amending s. 288.095, F.S.; deleting requirements for an annual report related to certain payments made from the Economic Development Incentives Account of the Economic Development Trust Fund; amending ss. 288.106, 288.1081, 288.1082, 288.1088, and 288.1089, F.S.; conforming provisions to changes made by the act; amending s. 288.1226, F.S.; revising membership of the board of directors of the Florida Tourism Industry Marketing Corporation; providing that the Governor shall serve as a nonvoting member; amending ss. 288.1253, 288.1254, and 288.1258, F.S.; revising requirements for annual reports by the Office of Film and Entertainment; amending ss. 288.714 and 288.7771, F.S.; conforming provisions to changes made by the act; amending s. 288.903, F.S.; revising the duties of Enterprise Florida, Inc., with respect to preparation of the annual incentives report; amending ss. 288.92, 288.95155, 290.0056, and 290.014, F.S.; conforming provisions to changes made by

the act; amending ss. 290.0411 and 290.042, F.S.; revising legislative intent and definitions applicable to the Florida Small Cities Community Development Block Grant Program Act; amending s. 290.044, F.S.; requiring the department to adopt rules for the distribution of block grant funds to eligible local governments; deleting authority for block grant funds to be distributed as loan guarantees to local governments; requiring that block grant funds be distributed to achieve the department's community development objectives; requiring such objectives to be consistent with certain national objectives; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending s. 290.046, F.S.; revising application requirements for community development block grants and procedures for the ranking of applications and the determination of project funding; amending s. 290.047, F.S.; revising requirements for the establishment of grant ceilings and maximum expenditures on administrative costs from community development block grants; limiting an eligible local government's authority to contract for specified services in connection with community development block grants; amending s. 290.0475, F.S.; revising conditions under which grant applications are ineligible for funding; 290.048, F.S.; revising the department's duties to administer the Small Cities Community Development Block Grant Loan Guarantee Program; deleting provisions authorizing the establishment of an advisory committee; amending ss. 331.3051 and 331.310, F.S.; revising requirements for annual reports by Space Florida; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; revising requirements for the estimate of interest due on advances received from the Federal Government to the Unemployment Compensation Trust Fund and the calculation of additional assessments to contributing employers to repay the interest; providing an exemption from such additional assessments; amending ss. 443.151 and 443.191, F.S.; requiring the department to impose a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant and providing for deposit of moneys collected for such penalties in the Unemployment Compensation Trust Fund; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing criminal penalties; amending s. 446.50, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Thrasher—

SB 1026—A bill to be entitled An act relating to tax collectors; amending s. 197.332, F.S.; specifying that the tax collector may collect delinquent taxes by processing tax deed applications; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Clemens—

SB 1028—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Division of Resource Management of the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service companies and suppliers to disclose certain information; providing exceptions; authorizing the division to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Senators Thrasher and Bradley—

SB 1030—A bill to be entitled An act relating to sweepstakes devices; providing legislative intent; creating s. 849.0945, F.S.; providing definitions; prohibiting the use of certain sweepstakes devices; providing an exception for operators who were using such devices on or before a specified date; requiring local governments to renew certain permits, licenses, or permissions to operate such devices; authorizing certain officials to seek injunctive relief against operators who violate this act; limiting the scope of the act; providing for future repeal; providing an effective date.

—was referred to the Committees on Gaming; Regulated Industries; and Appropriations.

By Senator Altman—

SB 1032—A bill to be entitled An act relating to correctional reentry treatment facilities; amending s. 944.02, F.S.; defining the term “correctional reentry treatment facility”; amending s. 944.024, F.S.; requiring the Department of Corrections to screen adults for eligibility for reentry treatment services; creating s. 944.0280, F.S.; providing a short title; creating s. 944.0281, F.S.; requiring the department to establish one or more correctional reentry treatment facilities to be operated by private providers who have experience providing substance abuse, behavioral health, educational, vocational, and other transitional services to offenders; requiring a correctional reentry treatment facility to meet standards for minimum custody offenders; authorizing private providers who operate a correctional reentry treatment facility to subcontract with the department or other private providers to furnish security services and other professional services; requiring a correctional reentry treatment facility to provide necessary working space to department staff; creating s. 944.0282, F.S.; specifying eligibility criteria for participation in the reentry treatment program; providing legislative intent; creating s. 944.0283, F.S.; specifying program elements of the reentry treatment facility; authorizing priority consideration for providers that are Florida-based nonprofit organizations with certain qualifications; creating s. 944.0284, F.S.; providing that eligible offenders may be admitted into a correctional reentry treatment facility upon recommendation of the sentencing court or upon determination by the department that an eligible offender is appropriate for admission to a correctional reentry treatment facility; prohibiting certain offenders from being admitted into a correctional reentry treatment facility; providing that the department may place offenders if there are vacancies remaining after placement of offenders recommended by the courts; requiring the department to provide a court with information on program availability upon request; creating s. 944.0285, F.S.; specifying that the department may transfer an offender from a correctional reentry treatment facility under certain circumstances; creating s. 944.0286, F.S.; requiring the department to maintain a waiting list under certain circumstances; establishing priorities for admission from the waiting list; requiring the department to develop additional criteria to assign priority for the waiting list; creating s. 944.0287, F.S.; requiring the department to track recidivism of offenders who have participated in correctional reentry treatment facility programs; requiring the department to report to the Governor and the Legislature; creating s. 944.0288, F.S.; providing that the act does not create or confer any right to any offender to placement in a correctional reentry treatment facility; amending s. 945.091, F.S.; requiring the department to require offenders working at paid employment to use a portion of the employment proceeds equal to the amount of the voucher provided for a government-issued photo identification card plus the actual cost charged by the issuer for any other necessary document; providing for the deposit of funds collected into the General Revenue Fund; creating s. 945.0915, F.S.; requiring the department to assist offenders to obtain the proper documents in order that an offender might participate in paid employment; amending s. 784.078, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Joyner—

SB 1034—A bill to be entitled An act relating to the Jump Start Literacy Pilot Project; requiring the Office of Early Learning within the Department of Education to establish the pilot project in St. Lucie County to assist low-income, at-risk children in developing emergent literacy skills; providing eligibility requirements for participation; requiring the office to establish performance standards and outcome measures for participating children; requiring emergent literacy training for instructors; requiring the office to allocate funds for the pilot project; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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

SB 1036—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; providing that when the court obtains jurisdiction over a child who has been found to be dependent, the court retains jurisdiction until the child reaches 21 years of age; providing exceptions; creating s. 39.6035, F.S.; requiring the Department of Children and Families, the community-based care provider, and others to assist a child in developing a transition plan after the child reaches 17 years of age and requiring a meeting to develop the plan; specifying requirements and procedures for the transition plan; requiring periodic review of the transition plan; requiring the court to approve the transition plan before the child leaves foster care and the court terminates jurisdiction; creating s. 39.6251, F.S.; providing definitions; providing that a young adult may remain in foster care under certain circumstances after attaining 18 years of age; specifying criteria for extended foster care; providing that the permanency goal for a young adult who chooses to remain in care is transition from care to independent living; specifying dates for eligibility for a young adult to remain in extended foster care; providing for supervised living arrangements in extended foster care; authorizing a young adult to return to foster care under certain circumstances; specified services that must be provided to the young adult; directing the court to retain jurisdiction and hold review hearings; amending s. 39.701, F.S.; revising judicial review of foster care cases; making technical changes; providing criteria for review hearings for children younger than 18 years of age; providing criteria for review hearings for children 17 years of age; requiring the department to verify that the child has certain documents; requiring the department to update the case plan; providing for review hearings for young adults in foster care; amending s. 409.145, F.S.; requiring the department to develop and implement a system of care for children in foster care; specifying the goals of the foster care system; requiring the department to assist foster care caregivers to achieve quality parenting; specifying the roles and responsibilities of caregivers, the department, and others; providing for transition from a caregiver; requiring information sharing; providing for the adoption and use of a “reasonable and prudent parent” standard; defining terms; providing for the application for the standard of care; providing for limiting liability of caregivers; specifying foster care room and board rates; directing the department to adopt rules; deleting obsolete provisions; amending s. 409.1451, F.S.; providing for the Road-to-Independence program; providing legislative findings and intent; providing for postsecondary services and supports; specifying aftercare services; providing for appeals of a determination of eligibility; providing for portability of services across county lines and between lead agencies; providing for accountability; creating the Independent Living Services Advisory Council; providing for membership and specifying the duties and functions of the council; requiring reports and recommendations; directing the department to adopt rules; amending s. 409.175; allowing for young adults remaining in care to be considered in total number of children placed in a foster home; amending s. 409.903, F.S.; conforming a cross-reference; directing the Department of Children and Families to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist young adults who have been or remain in the foster care system; providing for a transfer of services; providing for foster care services to be paid from a special category in the General Appropriations Act; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 1038—A bill to be entitled An act relating to volunteers for organized youth sports and recreation programs; amending s. 943.0438, F.S.; defining the terms “volunteer” and “youth sports or recreation authority”; expanding provisions relating to athletic coaches for independent sanctioning authorities to require youth sports or recreation authorities to conduct specified background screening of all volunteers with any youth athletic team or organized youth recreational program using publicly owned facilities; providing that the duty may not be delegated; requiring that specified documentation be maintained for a specified period by such authorities; requiring authorities to provide copies of such documentation to certain governmental entities; requiring governmental entities to retain documentation for a specified period; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Rules.

By Senator Stargel—

SB 1040—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring the collection of the motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 206.45, F.S.; providing for the collection and distribution of the inspection fee on motor fuel; amending s. 493.6101, F.S.; revising the definition of the term “re-possession”; amending s. 493.6113, F.S.; requiring licensees to submit proof of recertification training to the Department of Agriculture and Consumer Services; providing that failure to submit proof of firearm recertification training will result in license suspension and nonrenewal; amending s. 493.6116, F.S.; removing a provision that prohibits firearm licensees from sponsoring certain interns; requiring interns to conduct regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; providing criminal penalties for providing fraudulent training certifications; conforming a cross-reference; amending s. 493.6120, F.S.; providing an exception to a penalty provision; amending s. 493.6121, F.S.; conforming a cross-reference; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; providing exemption from registration requirements for certain charitable organizations and sponsors; requiring exempt charitable organizations and sponsors that solicit donations to provide information to the department; providing that the burden of proving an exemption is on the entity claiming the exemption; limiting applicability of the registration exemption; amending s. 496.407, F.S.; providing that a charitable organization or sponsor may submit certain IRS forms and schedules in lieu of a financial report; amending s. 496.409, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by professional fundraising consultants; amending s. 496.410, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements, renewal statements, and reports by professional solicitors; amending s. 496.411, F.S.; deleting provisions that require registered charitable entities, sponsors, or solicitors to display the percentage retained from contributions; amending s. 496.415, F.S.; providing that it is unlawful to knowingly provide a misleading or inaccurate document relating to a solicitation or charitable promotion; providing criminal penalties; amending s. 496.419, F.S.; providing that certain violations constitute an immediate public threat and are grounds for suspending solicitation activities; requiring that the department report only substantiated criminal violations to a prosecuting authority; conforming cross-references; amending s. 501.016, F.S.; reducing the required security amount for health studios; amending s. 501.059, F.S.; prohibiting a person from making certain outbound telephonic sales calls; amending s. 501.603, F.S.; revising the definitions of the terms “commercial telephone solicitation” and “commercial telephone seller”; amending s. 501.604, F.S.; specifying that exemptions apply to telecommunications businesses and businesses that have operated lawfully; making technical and conforming changes; amending s. 501.607, F.S.; deleting the provision requiring commercial telephone salespersons to provide employment history to the department; amending s. 501.608, F.S.; requiring that commercial telephone sellers provide the department with certain documents to aid in determining eligibility for exemptions; requiring each commercial tele-

phone seller operating under an exemption to display or make certain documents available for inspection; providing that failure to obtain or display certain documents is grounds for action against the commercial telephone seller; amending s. 501.611, F.S.; requiring a commercial telephone seller to maintain an active security bond throughout the period of licensure; amending s. 501.615, F.S.; revising the criteria for certain exempt telephonic sales; requiring a commercial telephone seller engaged in activities regulated by ch. 721 to comply with certain disclosure obligations; amending s. 501.617, F.S.; authorizing the department to conduct regulatory inspections of commercial telephone sellers; amending s. 507.03, F.S.; requiring moving brokers to provide the department with contact information for movers with whom they have contracted for services or are affiliated; amending s. 507.04, F.S.; eliminating the requirement that a moving broker obtain a bond; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term “alternative fuels” for purposes of inspection requirements; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; eliminating the requirement that collected fees be paid into the treasury and distributed into a specified trust fund; conforming provisions; amending s. 527.01, F.S.; providing a definition for the term “license year” as it relates to the sale of petroleum gas; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the renewal procedure for certain licenses; amending s. 531.415, F.S.; conforming a cross-reference; amending s. 531.61, F.S.; exempting certain commercial weights and measures devices from permit requirements; conforming a cross-reference; amending chapter 2009-66, Laws of Florida; extending the expiration date of certain statutes related to commercial weights and measures; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring franchisors to provide notice of the franchise sale on a department promulgated form; amending s. 559.803, F.S.; deleting provisions allowing and requiring sellers of business opportunities to file federal disclosure statements with the department; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; repealing s. 559.807(2), F.S., relating to bonds or securities for business opportunity sellers; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; abrogating the enforcement and rule-making authority of the Department of Agriculture and Consumer Services; amending s. 559.815, F.S.; conforming a cross-reference; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Abruzzo—

SB 1042—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Stargel—

SB 1044—A bill to be entitled An act relating to liens on motor vehicles and vessels; amending s. 320.02, F.S., relating to a list of persons

who may not be issued a license plate, revalidation sticker, or replacement license plate for failure to surrender a vehicle pursuant to notice provided by a lienor; directing the department to withhold renewal of registration and replacement registration of vehicles; providing for a court order to remove a person's name from such list; amending s. 320.1316, F.S.; revising a reference to specified provisions relating to the department withholding a license plate or registration renewal or replacement; requiring the notice to surrender a vehicle to be signed under oath by the lienor; revising procedures for dispute of the notice to surrender; providing for judicial proceedings; defining the term "good cause"; providing for attorney fees and costs; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Appropriations.

By Senator Brandes—

SB 1046—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; deleting the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; amending s. 626.9914, F.S.; conforming a provision to changes made by the act; amending s. 626.99175, F.S.; deleting provisions requiring registration of life expectancy providers; deleting procedures, qualifying criteria, and violations with respect thereto; amending ss. 626.9919, 626.992, 626.9925, and 626.99278, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from averaging together the results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; deleting provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.701, F.S.; revising requirements to issue or renew personal lines residential property insurance after a certain date; amending s. 627.7015, F.S.; revising the rulemaking authority of the

department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; authorizing the inclusion of deductibles applicable to sinkhole losses in property insurance policies covering nonresidential buildings; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application or revoke approval of a mediator or neutral evaluator; authorizing the department to adopt rules; amending s. 627.952, F.S.; deleting a fidelity bond requirement applicable to certain non-resident general lines agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company" to delete obsolete language; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing certain premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Gardiner—

SB 1048—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, an internet cafe that offers game promotions, an unauthorized commercial bingo facility, a casino, slot machine facility, or other gaming establishment; specifying penalties for violations of card use restrictions; providing an effective date.

—was referred to the Committees on Regulated Industries; Children, Families, and Elder Affairs; and Appropriations.

By Senator Flores—

SB 1050—A bill to be entitled An act relating to public educational facilities; amending s. 1013.37, F.S.; authorizing district school boards to voluntarily comply with the State Requirements for Educational Facilities of the Florida Building Code for new construction, remodeling, and renovation projects; providing that this compliance by the school boards is not mandatory; providing an effective date.

—was referred to the Committees on Education; and Community Affairs.

By Senator Montford—

SB 1052—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county school board to use the school surtax to purchase school buses; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Brandes—

SB 1054—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.302, F.S.; providing that owners or drivers of certain commercial motor vehicles are

subject to specific federal commercial driver license standards; providing that commercial motor vehicles transporting hazardous material are subject to federal regulations relating to the designation of approval and certification agencies; deleting exemptions from commercial motor vehicle rules for the transportation of liquefied petroleum gas; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Evers—

SB 1056—A bill to be entitled An act relating to abortion; creating the “Florida for Life Act”; creating s. 390.0001, F.S.; providing legislative findings regarding abortion; creating s. 390.01113, F.S.; providing definitions; prohibiting inducing, performing, attempting to perform, or assisting in induced abortions; providing criminal penalties; prohibiting inflicting serious bodily injury on a person in the course of performing an abortion; providing criminal penalties; providing enhanced criminal penalties if the serious bodily injury results in death; prohibiting operation of any facility, business, or service within this state for the purpose of providing induced abortion services; providing criminal penalties; prohibiting termination of a pregnancy unless specified conditions are met; requiring that a termination of pregnancy be performed only by a physician; requiring voluntary, informed consent for a termination of pregnancy; providing an exception for medical emergencies; providing for documentation of a medical emergency; providing that violations may subject physicians to discipline under specified provisions; providing a standard of medical care to be used during a termination of pregnancy performed while the patient’s fetus is viable; providing that the woman’s life is a superior consideration to the concern for the life of the fetus and the woman’s health is a superior consideration to the concern for the health of the fetus when such life or health concerns are in conflict; prohibiting a physician’s misrepresentation of the gestational age or developmental stage of a viable fetus in any medical record and failing to use the prescribed standard of care on a viable fetus; providing criminal penalties; prohibiting fetal experimentation; providing an exception; requiring that fetal remains be disposed of according to specified standards; providing criminal penalties; excluding specified procedures from application of the section; requiring physicians and personnel at a medical facility to provide certain women and minors who have been treated by the facility with information regarding adoption and a statewide list of attorneys available to provide volunteer legal services for adoption; providing that violation of certain provisions by a physician may be grounds for discipline; providing rulemaking authority to the Agency for Health Care Administration and the Department of Health; creating s. 390.01117, F.S.; providing that the section takes effect only if s. 390.01113, F.S., is declared unconstitutional or has its enforcement enjoined; providing definitions; prohibiting termination of a pregnancy after a fetus has been determined to be viable; providing exceptions; requiring a determination of viability for women in a certain week of pregnancy or later before termination may be performed; requiring an ultrasound and recordkeeping; providing that determination of viability and a required ultrasound may not be performed by a physician providing reproductive health services at an abortion clinic; requiring that a termination of pregnancy involving a viable fetus, when not prohibited, be performed in a hospital or other medical facility; providing a standard of care for a termination of pregnancy performed while a fetus is viable; providing that the woman’s life is a superior consideration to the concern for the life of the fetus and the woman’s health is a superior consideration to the concern for the health of the fetus when such life or health concerns are in conflict; prohibiting a physician’s misrepresentation of the gestational age or developmental stage of a viable fetus in any medical record and failing to use the prescribed standard of care on a viable fetus; providing criminal penalties; providing that only a physician may perform a termination of pregnancy; requiring voluntary and informed consent for a termination of pregnancy; providing an exception for medical emergencies; providing for documentation of a medical emergency; providing that violations may subject physicians to discipline; prohibiting experimentation on a fetus; providing an exception; requiring that fetal remains be disposed of according to specified standards; providing criminal penalties; providing that a person or facility is not required to participate in the termination of a pregnancy or be liable for such refusal; excluding specified procedures from application of the section; prohibiting a termination of

pregnancy procedure in violation of specified requirements; providing criminal penalties; prohibiting inflicting serious bodily injury on a person in the course of performing a termination of pregnancy; providing criminal penalties; providing enhanced criminal penalties if the serious bodily injury results in death; requiring physicians and personnel at a medical facility to provide certain women and minors who have been treated by the facility with information regarding adoption and a statewide list of attorneys available to provide volunteer legal services for adoption; providing rulemaking authority to the Agency for Health Care Administration and the Department of Health; providing that rulemaking authority is supplemental to s. 390.012, F.S.; amending s. 39.001, F.S.; providing legislative intent concerning adoption services for women with unwanted pregnancies; requiring the Office of Adoption and Child Protection to create and manage a statewide list of attorneys providing volunteer adoption services for women with unwanted pregnancies who would have selected abortion, if lawful, rather than adoption; providing that the full amount of all federal moneys received by the state as a result of efforts made by the office to provide legal services are deposited, directed, and budgeted for use by the office; repealing ss. 390.011, 390.0111, 390.01114, 390.01116, 390.0112, 390.012, 390.014, 390.015, 390.018, and 390.025, F.S., relating to provisions regulating the termination of pregnancies and definitions applying thereto, the Parental Notice of Abortion Act, public records exemptions for identifying information regarding minors seeking a waiver of notice requirements under such act, reporting requirements for terminated pregnancies, the licensure and operation of abortion clinics, the disposal of fetal remains, the imposition of administrative fines for violations by abortion clinics, and provisions regulating abortion referral or counseling agencies and prescribing penalties for violations by such agencies; repealing ss. 782.30, 782.32, 782.34, and 782.36, F.S., relating to the Partial-Birth Abortion Act and the short title, definitions, criminal penalties for the intentional killing of a living fetus while that fetus is partially born, and exceptions to such act; amending s. 27.511, F.S.; conforming language relating to court-appointed counsel for minors under the Parental Notice of Abortion Act to the repeal of s. 390.01114, F.S.; amending ss. 627.64995, 627.6699, 627.66996, and 641.31099, F.S.; providing restrictions on use of state and federal funds for state exchanges that provide coverage for induced abortions and terminations of pregnancies under certain conditions; amending ss. 743.065 and 765.113, F.S.; conforming cross-references; providing that if s. 390.01117, F.S., is declared unconstitutional or has its enforcement enjoined, the repeal of s. 390.011, F.S., and the amendment of s. 39.001, F.S., are void and of no effect; providing legislative intent; providing that if s. 390.01113, F.S., is declared unconstitutional or has its enforcement enjoined, specified statutory repeals and amendments contained in this act are void and of no effect; providing legislative intent; providing an effective date.

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

By Senator Ring—

SB 1058—A bill to be entitled An act relating to freight logistic zones; creating s. 311.103, F.S.; providing application requirements for a local government to apply for the designation of a freight logistic zone; directing the Department of Transportation to create a Logistic Zone Advisory Council; providing for membership and duties of the council; authorizing the Secretary of Transportation to designate pilot logistic zones; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Senator Dean—

SB 1060—A bill to be entitled An act relating to websites containing information concerning persons charged with crimes; creating s. 836.12, F.S.; requiring that the operators of websites containing personal information of persons charged with crimes remove a person’s name and personal information within a specified period after notice that the person is acquitted or the charges are dropped or otherwise resolved without conviction; providing a civil penalty; providing for a presumption of defamation; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Criminal Justice; and Rules.

By Senator Latvala—

SB 1062—A bill to be entitled An act relating to delinquent real property taxes; amending s. 197.172, F.S.; revising the interest rate applicable to delinquent real property taxes; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Latvala—

SB 1064—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; providing definitions; excluding the value of certain installations, changes, or improvements made after a specified date from the assessed value of residential real property; providing for application; requiring the filing of applications by specified times in order for such installations, changes, or improvements to be excluded from the assessed value of residential real property; providing procedural requirements and limitations; requiring a nonrefundable filing fee for a petition to the value adjustment board; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; reenacting s. 193.1551, F.S., relating to assessment of certain homestead property damaged in 2004 named storms, to incorporate the amendments made to s. 193.155, F.S., in a reference thereto; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of non-homestead property at just value; amending s. 196.012, F.S.; deleting the definition of the terms “renewable energy source device” and “device”; conforming cross-references; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for application of the act; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Richter—

SB 1066—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Oversight and Accountability; and Rules.

By Senator Joyner—

SB 1068—A bill to be entitled An act relating to court-ordered expunction of criminal history records; amending s. 943.0585, F.S.; requiring the Department of Law Enforcement to disclose the contents of an expunged criminal history record to the subject of the record or the Parole Commission under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Senator Hays—

SB 1070—A bill to be entitled An act relating to emergency communication systems; amending s. 365.172, F.S., relating to the Emergency Communications Number E911 System; revising definitions; revising provisions relating to oversight of certain fees by the Technology Program within the Department of Management Services; revising E911 board appointment provisions; revising duties of the board; revising provisions for administration, distribution, and use of the E911 fee; re-

vising fee collection procedures; providing for the amount of the fee; authorizing the board to adjust the rate of the fee; prohibiting a local government from imposing a fee on sellers of prepaid wireless services; providing for a prepaid wireless E911 fee; requiring the Department of Revenue to provide notice to sellers and establish registration, payment, and documentation procedures; providing for distribution and use of fees collected; providing that fees collected may not be included in the base for measuring any tax, fee, surcharge, or other charge; providing for application of specified audit and appeals procedures; limiting liability of provider or seller of prepaid wireless service; providing that the state and local governments are not subscribers for certain purposes; providing definitions for specified purposes; revising provisions for authorized expenditures of the E911 fee; providing that certain costs of the Department of Health are functions of 911 services; amending s. 365.173, F.S.; revising provisions for accounting, distribution, use, and auditing of the Emergency Communications Number E911 System Fund; providing for a prepaid wireless category in such fund; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Evers—

SB 1072—A bill to be entitled An act relating to termination of pregnancy based on sex or race of the unborn child; providing a short title; providing findings and intent; amending s. 390.0111, F.S.; requiring a person performing a termination of pregnancy to first sign an affidavit stating that he or she is not performing the termination of pregnancy because of the child’s sex or race and has no knowledge that the pregnancy is being terminated because of the child’s sex or race; providing criminal penalties; prohibiting performing, inducing, or actively participating in a termination of pregnancy knowing that it is sought based on the sex or race of the child or the race of a parent of that child, using force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection or race-selection termination of pregnancy, and soliciting or accepting moneys to finance a sex-selection or race-selection termination of pregnancy; providing criminal penalties; providing for injunctions against specified violations; providing for civil actions by certain persons with respect to certain violations; specifying appropriate relief in such actions; authorizing civil fines of up to a specified amount against physicians and other medical or mental health professionals who knowingly fail to report known violations; providing that a mother who has not attained a specified age on whom a sex-selection or race-selection termination of pregnancy is performed is not subject to criminal prosecution or civil liability for any violation or for a conspiracy to commit a violation; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Judiciary; and Rules.

By Senator Hays—

SB 1074—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring state entities to submit a business plan if a building or parcel is offered for use to the entity; amending s. 255.248, F.S.; defining the terms “managing agency” and “tenant broker”; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; authorizing the department to implement renovations in order to more efficiently use state-owned buildings; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain in-

formation to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; authorizing the department to adopt additional rules; amending s. 255.25, F.S.; reducing the amount of square feet which an agency may lease without department approval; deleting an exemption that allows an agency to negotiate a replacement lease under certain circumstances; requiring a state agency to use a tenant broker to assist with lease actions; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; amending s. 255.503, F.S.; authorizing the department to charge state employees fees for the use of parking facilities; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing effective dates.

—was referred to the Committees on Governmental Oversight and Accountability; Environmental Preservation and Conservation; and Appropriations.

By Senator Legg—

SB 1076—A bill to be entitled An act relating to education; providing a short title; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center or a system of technical centers; providing for membership of the board; amending s. 1001.706, F.S.; revising the requirements that must be included in the strategic plan that the Board of Governors must develop which includes criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; amending s. 1002.3105, F.S.; adding attainment of industry certifications to the list of acceleration options available to public school students; amending s. 1003.41, F.S.; revising the core curricular content for mathematics and social studies within the Next Generation Sunshine State Standards; amending s. 1003.4156, F.S.; revising the requirements for the course in career and education planning which students in middle grades must successfully complete for promotion; amending s. 1003.4203, F.S.; requiring each district school board to make available digital materials for students in kindergarten through grade 12; revising the digital curriculum; authorizing the digital materials to be integrated into subject area curricula, offered as a separate course, or made available through other options; requiring the Department of Education to confirm that each school district has made available digital instructional materials for certain students with disabilities by a specified date; requiring the department to contract with technology companies or affiliated nonprofit organizations by a specified date to develop a cyber security recognition and a digital arts and technology recognition; requiring that the recognitions be made available to all public elementary school students at no cost to the districts; requiring the department to contract by a specified date with technology companies to provide a digital tools certificate; requiring that the digital tools certificate be made available to all public middle school students at no cost to the school districts; providing legislative intent; requiring the department or a contracted company or companies to provide technical assistance to district school boards; providing criteria for the assistance; authorizing a district school board to seek partnerships with other school districts, private businesses, colleges, universities, or consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials and certifications; requiring the State Board of Education to adopt rules; amending s. 1003.428, F.S.; revising requirements for high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; amending s. 1003.4295, F.S.; requiring the department to develop, the State Board of Education to approve, and each school district to provide alternative pathways of earning accelerated credit toward meeting general credit requirements for high school graduation; amending s. 1003.433, F.S.; deleting a provision that exempts students attending adult basic, adult secondary, or vocational-preparatory instruction from payment of certain fees and tuition; repealing s. 1003.4935(4), F.S., relating to the adoption of rules by the State Board of Education that identify industry certifications in science, technology,

engineering, and mathematics offered in middle school to be included on the Industry Certification Funding List and which are eligible for additional full-time equivalent membership; amending s. 1004.02, F.S.; revising definitions; creating s. 1004.082, F.S.; requiring the Chancellor of the State University System to cooperate with the Commissioner of Education to support the operation of programs to encourage talented secondary school students and students of physics or mathematics programs to pursue a postsecondary education at a state university; amending s. 1004.91, F.S.; providing requirements for basic skills for a career education program; requiring each school district and Florida College System institution that conducts programs that confer career and technical certificates to provide applied academics instruction through which students receive basic skills instruction; requiring certain students to be referred to applied academics instruction or another adult general education program for a structured program or basic skills instruction; revising the types of students who are exempt from completing the basic skills for a career education program; amending s. 1004.93, F.S.; revising the priority in which an adult education program must provide academic services to students; requiring students who are entering adult general education programs to complete certain activities before a specified date in order to accelerate employment; providing for the development of the action-steps-to-employment activities; amending s. 1006.73, F.S.; revising the primary purposes and the duties of the Florida Virtual Campus to include enhancing and expanding programs leading to industry certification; amending s. 1007.263, F.S.; conforming a provision to changes made by the act; amending s. 1007.271, F.S.; conforming a provision to changes made by the act; revising requirements for career dual enrollment programs to include the earning of an industry certification; amending s. 1008.25, F.S.; requiring each school district to establish a comprehensive plan for student progression which must provide instructional sequences for students in kindergarten through high school to progressively higher levels of competency in the use of digital tools; amending 1008.37, F.S.; conforming a provision to changes made by the act; creating s. 1008.44, F.S.; requiring the Department of Education to annually identify the Industry Certification Funding List; requiring the State Board of Education to adopt the Postsecondary Industry Certification List; requiring the Commissioner of Education to recommend to the State Board of Education the Postsecondary Industry Certification Funding List; authorizing the commissioner to recommend adding certifications; requiring the Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the funding list; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance funding distributions to school districts and Florida College System institutions; requiring the chancellors to consider results of the economic security report of employment and earnings outcomes when recommending certifications for the list; requiring the commissioner to differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding under certain circumstances; requiring differentiated requirements to be included in the Industry Certification Funding List; amending ss. 1009.22 and 1009.25, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; revising the procedure for annual allocation of funds to each school district; revising the bonus funding for enrollment in advanced placement courses; increasing the funding cap on funding associated with industry certifications; providing a performance bonus for teachers of specified subjects; revising the calculation of additional full-time equivalent membership based on certification of successful completion of a career-themed course and issuance of an industry certification; requiring that industry certification courses be reported and funded; authorizing bonus funding for elementary and middle schools where students earn certain recognitions and digital competency certificates; amending s. 1011.80, F.S.; deleting the performance output measure for a career program of study; providing that continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs; providing distribution and calculation of performance funding for school district workforce education programs; amending s. 1011.81, F.S.; providing for performance funding for industry certifications for Florida College System institutions; amending s. 1011.905, F.S.; revising requirements for performance funding for state universities; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Braynon—

SB 1078—A bill to be entitled An act relating to sentences of inmates; amending s. 893.135, F.S.; revising the quantity of a controlled substance which a person must knowingly sell, purchase, manufacture, deliver, or bring into this state in order to be subject to the automatic imposition of a mandatory minimum term of imprisonment; providing the method for determining the weight of a controlled substance in a mixture that is a prescription drug; revising legislative intent; amending s. 921.0022, F.S.; revising provisions to conform to changes made by the act; reenacting ss. 775.087(2)(a) and 782.04(1)(a), (3), and (4), F.S., relating to the possession or use of a weapon and murder, respectively, to incorporate the amendments made to s. 893.135, F.S., in references thereto; repealing s. 893.101, F.S., relating to legislative findings and intent relative to knowledge of a person to the possession of a controlled substance; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Evers—

SB 1080—A bill to be entitled An act relating to public construction projects; amending s. 255.257, F.S.; requiring state agencies to use a sustainable building rating system for construction and renovation projects; amending s. 255.2575, F.S.; requiring state agencies and other entities to specify certain products associated with public works projects; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hays—

SB 1082—A bill to be entitled An act relating to trust funds; creating s. 766.4105, F.S.; creating the Patient Compensation System Trust Fund within the State Treasury; providing for the purpose and source of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Health Policy; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Montford—

SB 1084—A bill to be entitled An act relating to the Tallahassee-Leon County Civic Center Authority, Leon County; abolishing the authority; repealing chapter 2004-435, Laws of Florida, relating to the charter of the authority; designating the Tallahassee-Leon County Civic Center as the “Donald L. Tucker Civic Center”; providing for the erection of suitable markers; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a beverage license to Florida State University or its designee; transferring all assets and liabilities of the authority to the university; providing for applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Abruzzo—

SB 1086—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; revising the definition of the term “health plan member” to authorize the same-sex domestic partner of an enrollee to qualify as a covered dependent and participate

as a health plan member in the state group insurance program; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; Appropriations; and Rules.

By Senator Latvala—

SB 1088—A bill to be entitled An act relating to the renovation of educational facilities; amending s. 1011.71, F.S.; requiring school districts to retrofit the doors and windows of educational facilities to comply with certain Florida Building Code standards; providing additional requirements; providing funding through the capital outlay millage levy; requiring state universities and Florida College System institutions to retrofit the doors and windows of educational facilities to comply with certain Florida Building Code standards; providing additional requirements; providing funding through capital outlay funds; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Altman—

SB 1090—A bill to be entitled An act relating to motor vehicles; amending ss. 320.02 and 322.08, F.S.; requiring the application forms for motor vehicle registration and renewal of registration and for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Auto Club Group Traffic Safety Foundation, Inc.; providing that such contributions are not income for specified purposes; providing for use of funds; providing that the foundation must comply with specified provisions; providing an effective date.

—was referred to the Committees on Transportation; Rules; and Appropriations.

By Senator Thompson—

SB 1092—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; requiring a charter school to submit to the school district an attendance plan for each student enrolled in the school; requiring a charter school to provide funding to a school district in the event of student transfers; requiring a charter school to report to the school district certain student enrollment information; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Flores—

SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; deleting requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Policy; and Governmental Oversight and Accountability.

By Senator Montford—

SB 1096—A bill to be entitled An act relating to the repeal of education provisions; amending s. 403.7032, F.S.; removing a requirement that each K-12 public school annually report to the county on recycled materials; repealing s. 1001.435, F.S., relating to a K-12 foreign language curriculum plan; repealing s. 1002.23(4), (6), and (9), F.S., relating to a parent-response center, submission of family involvement and empowerment rules by district school boards, and State Board of Education compliance review and enforcement under the Family and School Partnership for Student Achievement Act; repealing s. 1002.361, F.S., relating to a direct-support organization for the Florida School for the Deaf and the Blind; repealing s. 1003.4285(1), F.S., relating to a standard

high school diploma designation that indicates a student's major area of interest; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; repealing s. 1003.453(2), F.S., relating to information on school wellness and physical education policies posted on Department of Education and school district websites; repealing s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program; repealing s. 1004.05, F.S., relating to substance abuse training programs for specified public school personnel; repealing s. 1004.62, F.S., relating to incentives for state university student internships to study urban or socially and economically disadvantaged areas; repealing s. 1004.77, F.S., relating to centers of technology innovation; repealing s. 1006.035, F.S., relating to a dropout reentry and mentor project; repealing s. 1006.09(1)(d), F.S., relating to duties of school principals with respect to annual reporting and analysis of student suspensions and expulsions; repealing ss. 1006.17 and 1006.70, F.S., relating to sponsorship of athletic activities similar to those for which scholarships are offered; repealing s. 1006.65, F.S., relating to safety issues in courses offered by public postsecondary educational institutions; repealing s. 1007.21, F.S., relating to readiness for postsecondary education and the workplace; repealing s. 1008.31(3)(d) and (e), F.S., relating to review and reporting duties of the Commissioner of Education with respect to consolidating paperwork under Florida's K-20 education performance accountability system; repealing s. 1009.68, F.S., relating to the Florida Minority Medical Education Program; repealing s. 1012.58, F.S., relating to the Transition to Teaching Program; repealing s. 1012.71(6), F.S., relating to a pilot program for establishing an electronic management system for the Florida Teachers Lead Program; repealing s. 1013.231, F.S., relating to Florida College System institution and state university energy consumption reduction; repealing s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys; repealing ss. 1013.42 and 1013.72, F.S., relating to the School Infrastructure Thrift (SIT) Program; repealing ss. 1013.502 and 1013.721, F.S., relating to A Business-Community (ABC) School Program; repealing s. 1013.64(7), F.S., relating to exceptions from Special Facility Construction Account requirements; repealing s. 1013.73, F.S., relating to effort index grants for school district facilities; amending ss. 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34, 1002.45, 1003.03, 1003.429, 1003.438, 1003.49, 1004.70, 1004.71, 1006.15, 1007.263, 1007.271, 1008.22, 1008.23, 1009.40, 1009.531, 1009.94, 1013.35, 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education; Appropriations; and Rules.

By Senator Richter—

SB 1098—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee's bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee's rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate's rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances;

requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee's deed to be in a specific form; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

By Senator Altman—

SB 1100—A bill to be entitled An act relating to the Governor's private secretary; repealing s. 14.03, F.S., relating to the Governor's authority to appoint and commission a private secretary; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Senator Garcia—

SB 1102—A bill to be entitled An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Brandes—

SB 1104—A bill to be entitled An act relating to the environment; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Appropriations.

By Senator Hays—

SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term “agritourism activity” and adding a definition of the term “inherent risks of agritourism activity”; creating s. 570.963, F.S.; limiting the liability of an agritourism professional, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism professional, his or her

employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Rules.

By Senators Gardiner and Thrasher—

SB 1108—A bill to be entitled An act relating to exceptional student education; amending s. 1002.20, F.S.; prohibiting certain actions with respect to parent meetings with school district personnel; providing requirements for meetings relating to exceptional student education and related services; amending s. 1002.33, F.S.; providing requirements for the reimbursement of federal funds to charter schools; amending s. 1002.41, F.S.; requiring a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; amending s. 1003.57, F.S.; requiring a school district to use specified terms to describe the instructional setting for certain exceptional students; defining the term “inclusion” for purposes of exceptional student instruction; providing for determination of eligibility as an exceptional student; requiring certain assessments to facilitate inclusive educational practices for exceptional students; creating s. 1003.5715, F.S.; requiring the use of parental consent forms for specified actions in a student’s individual education plan; providing requirements for the consent forms; providing requirements for changes in a student’s individual education plan; requiring the State Board of Education to adopt rules; creating s. 1003.572, F.S.; defining the term “private instructional personnel”; encouraging the collaboration of public and private instructional personnel and providing requirements therefor; amending s. 1003.58, F.S.; conforming a cross-reference; creating s. 1008.3415, F.S.; requiring an exceptional student education center to choose to receive a school grade or school improvement rating; excluding student assessment data from the calculation of a home school’s grade under certain circumstances; requiring the State Board of Education to adopt rules; amending s. 1012.585, F.S.; providing requirements for renewal of a professional certificate relating to teaching students with disabilities; authorizing the State Board of Education to adopt rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Evers—

SB 1110—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring special officers employed by a railroad or other common carrier to comply with specified continuing training or education requirements; providing that a special officer is not considered a “law enforcement officer” except for purposes of ss. 943.085-943.255, F.S.; providing that a Class I or Class II railroad is not considered an “employing agency” except for purposes of ss. 943.085-943.255, F.S.; amending s. 784.07, F.S.; defining the term “railroad special officer”; providing for reclassification of certain offenses committed against a railroad special officer; amending s. 943.10, F.S.; including special officers employed by a railroad or other common carrier within the definition of “law enforcement officer” and including certain railroads within the definition of “employing agency” for purposes of specified provisions relating to law enforcement officer standards; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Garcia—

SB 1112—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to share photographs or digital images of driver licenses with the Agency for Health Care Administration; amending s. 408.809, F.S.; adding additional disqualifying theft offenses for persons who must undergo background screening for health care licensing; amending s. 435.04, F.S.; revising the requirement that ven-

dors who submit fingerprints on behalf of employers must provide the necessary information required by law, or the agency, in order to process the submission; adding an additional disqualifying offense; amending s. 435.07, F.S.; requiring that individuals seeking an exemption from disqualification must have completed all nonmonetary conditions imposed by the court, rather than sanctions, for a disqualifying felony or misdemeanor; authorizing the head of the appropriate agency to grant an exemption to an employee otherwise disqualified from employment for payment in full of a court-ordered fee, fine, fund, lien, civil judgment, application, trust, restitution, or costs of prosecution as part of the judgment and sentence for a disqualifying felony or misdemeanor; amending s. 435.12, F.S.; requiring that a photograph be submitted of the potential employee taken at the time the fingerprints are processed; requiring an employer to register and initiate criminal background checks through the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; providing requirements for the registration; providing an effective date.

—was referred to the Committees on Health Policy; Transportation; and Criminal Justice.

By Senator Altman—

SB 1114—A bill to be entitled An act relating to sex offenses; amending s. 775.21, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 800.03, F.S.; providing enhanced penalties for third or subsequent indecent exposure violations; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of additional sexual offender registration information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions allowing removal from the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the criteria applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; replacing the term “instant message name” with the term “Internet identifier”; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.005, F.S.; revising the definition of the term “risk assessment”; amending s. 948.31, F.S.; authorizing the court to require sexual offenders and sexual predators who are on probation or community control to undergo an evaluation to determine whether the offender

or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 921.0022, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Garcia—

SB 1116—A bill to be entitled An act relating to rebuilt motor vehicles; amending s. 319.14, F.S.; conforming provisions; creating s. 319.143, F.S.; requiring the Department of Transportation to implement a rebuilt motor vehicle inspection program and contract with private vendors to establish and operate inspection facilities in certain counties; providing definitions; providing criteria for the selection of vendors and providing criteria for facilities; providing guidelines for performing vehicle inspections; requiring specific operating hours for facilities; providing licensing and insurance requirements for vehicles driven to facilities; providing for the inspection of facilities by certain authorities; requiring the maintenance of records; providing for inspection fees; providing that an inspection does not constitute a safety inspection or warranty; providing a limitation of liability for the department and others; prohibiting certain fraudulent acts; providing penalties; providing that certain brands must be noted on a vehicle registration certificate; prohibiting certain persons from operating a facility; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Hays—

SB 1118—A bill to be entitled An act relating to public contracting; providing definitions for the terms “facility” and “governmental unit”; prohibiting a governmental unit that contracts for the construction, repair, remodeling, or improving of a facility from imposing conditions that requires, prohibits, encourages, or discourages certain bidders, contractors, or subcontractors from entering into or adhering to agreements with a collective bargaining organization; prohibiting a governmental unit from granting certain awards as a condition of certain contracts; prohibiting certain terms from being placed in bid specifications, project agreements, or other controlling documents; providing exceptions; amending s. 120.57, F.S.; revising the period during which an agency must file a protest following certain contract solicitations or awards; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Judiciary.

By Senator Thompson—

SB 1120—A bill to be entitled An act relating to affordable housing; amending s. 83.56, F.S.; revising provisions for terminating a rental agreement that involves rent subsidies received from a local, state, or national government; amending s. 421.02, F.S.; revising a declaration of necessity; providing that access to essential commercial goods and services for persons of low income served by housing authorities is a public use; amending s. 421.03, F.S.; revising definitions applicable to the Housing Authorities Law; defining the term “essential commercial goods and services”; amending s. 421.06, F.S., relating to a prohibition on commissioners or employees from acquiring interests in housing projects and to required disclosure of interests in specified properties; providing application to commercial projects; amending s. 421.08, F.S.; prohibiting the use of eminent domain for certain purposes; expanding certain powers of housing authorities to include certain commercial projects providing essential goods and services; providing for the use of revenues received from such projects; amending s. 421.09, F.S.; conforming a

cross-reference; reenacting and amending s. 421.21, F.S., relating to tax exemptions applicable to housing authorities created pursuant to certain federal programs; amending s. 421.32, F.S.; conforming a cross-reference; amending s. 422.02, F.S.; revising a declaration of necessity; providing that there exists a shortage of access to essential commercial goods and services necessary for daily living for persons of low income; amending s. 422.04, F.S.; expanding certain powers of state public bodies to include certain commercial projects providing essential goods and services; amending s. 423.01, F.S.; revising and providing findings and declarations of property of tax exemption for housing authorities relating to access to essential commercial goods and services necessary for daily living for persons of low income; amending s. 423.02, F.S.; clarifying that activities and property of certain persons are not exempt from taxes and special assessments; providing that real property of a housing authority that is used to provide access to essential commercial goods and services is exempt from ad valorem taxes and special assessments; amending s. 624.46226, F.S.; revising requirements for public housing authorities to form self-insurance funds; amending s. 893.13, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Community Affairs; Children, Families, and Elder Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Simpson—

SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; exempting certain local governments from specified minimum fire-flow requirements in the code; exempting certain businesses from a 2-hour or longer fire-rated wall requirement in the code; exempting certain agricultural operations from the code; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Rules.

By Senator Altman—

SB 1124—A bill to be entitled An act relating to veteran preference in state purchasing; amending s. 295.187, F.S.; requiring state agencies to apply a specific percentage preference to bids, proposals, or replies from certified veteran business enterprises; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; Judiciary; and Appropriations.

By Senator Joyner—

SB 1126—A bill to be entitled An act relating to the unlawful possession of the personal identification information of another person; creating s. 817.5685, F.S.; defining the term “personal identification information”; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; creating criminal penalties; providing that certain specified persons are exempt from provisions regarding the unlawful possession of personal identification information of another person; creating affirmative defenses; providing that the act does not preclude prosecution for the unlawful possession of personal identification information of another person under any other law; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By the Committee on Health Policy—

SB 1128—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the expiration date to extend the availability of health flex plans to low-income uninsured state residents; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By Senator Garcia—

SB 1130—A bill to be entitled An act relating to examination of dentists; amending s. 466.006, F.S.; revising the eligibility requirements for taking examinations required to practice dentistry; authorizing applicants enrolled in a recognized dental specialty program on a specified date to take the examinations if specified conditions are met; providing for future expiration of such authorization; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Brandes—

SB 1132—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; requiring the Transportation Commission to also monitor the Mid-Bay Bridge Authority; deleting provisions relating to the Florida Statewide Passenger Rail Commission; amending s. 110.205, F.S.; changing to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; creating s. 163.3176, F.S.; providing legislative intent; requiring that a local government ensure that noise compatible land-use planning is used in its jurisdiction; providing guidelines; providing for the sharing of related costs of construction if a local government does not comply with the noise mitigation requirements; requiring that local governments consult with the Department of Transportation and the Department of Economic Opportunity in the formulation of noise mitigation requirements; amending s. 206.9825, F.S.; revising the criteria that certain air carriers must meet to qualify for an exemption to the aviation fuel tax; providing remedies for failure by an air carrier to meet the standards; authorizing terminal suppliers and wholesalers to receive a credit, or apply, for a refund of aviation fuel tax previously paid; conforming terminology; authorizing the Department of Revenue to adopt rules; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; providing criteria for the Spaceport Investment Program; providing for funding; authorizing the use of revenues for the payment of forms of indebtedness issued by Space Florida; providing restrictions and criteria for the use of certain revenues; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14, F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 337.408, F.S.; providing regulations for parking meters and spaces in rights-of-way; requiring each county or municipality to remit certain revenue to the department; directing the department to deposit the funds into the State Transportation Trust Fund; amending s. 338.161, F.S.; authorizing the department to enter into agreements with owners of public or private transportation facilities rather than entities that use the department's electronic toll collection and video billing systems to collect certain charges; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design

and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service"; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 341.302, F.S.; authorizing the Department of Transportation to undertake ancillary development for appropriate revenue sources to be used for state-owned rail corridors; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Tollway Authority; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; authorizing counties to form a regional tollway authority that can construct, maintain, or operate transportation projects in a region of the state; providing for governance of the authority; creating s. 345.0004, F.S.; providing for the powers and duties of a regional tollway authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing the authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must contain certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing for the rights and remedies granted to certain bondholders; providing the actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to the receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide for or commit its resources for an authority project or system, if approved by the Legislature; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing calculations for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between governmental entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; relieving the authority from the obligation of paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; creating s. 345.0015, F.S.; creating the Northwest Florida Regional Tollway Authority; creating s. 345.0016, F.S.; creating the Okaloosa-Bay

Regional Tollway Authority; creating s. 345.0017, F.S.; creating the Suncoast Regional Tollway Authority; providing for the transfer of the governance and control of the Mid-Bay Bridge Authority System to the Okaloosa-Bay Regional Tollway Authority; providing for the disposition of bonds, the protection of the bondholders, the effect on the rights and obligations under a contract or the bonds, and the revenues associated with the bonds; providing effective dates.

—was referred to the Committees on Transportation; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Hays—

SB 1134—A bill to be entitled An act relating to compensation for personal injury or wrongful death arising from a medical injury; amending s. 456.013, F.S.; requiring the Department of Health or certain boards thereof to require the completion of a course relating to communication of medical errors; providing a directive to the Division of Law Revision and Information; creating s. 766.401, F.S.; providing a short title; creating s. 766.402, F.S.; providing definitions; creating s. 766.403, F.S.; providing legislative findings and intent; specifying that certain provisions are an exclusive remedy for personal injury or wrongful death; providing for early offer of settlement; creating s. 766.404, F.S.; creating the Patient Compensation System; providing for a board; providing for membership, meetings, and certain compensation; providing for specific staff, offices, committees, and panels and the powers and duties thereof; prohibiting certain conflicts of interest; authorizing rulemaking; creating s. 766.405, F.S.; providing a process for filing applications; providing for notice to providers and insurers; providing an application filing period; creating s. 766.406, F.S.; providing for disposition, support, and review of applications; providing for a determination of compensation upon a prima facie claim of a medical injury having been made; providing that compensation for an application shall be offset by any past and future collateral source payments; providing for determinations of malpractice for purposes of a specified constitutional provision; providing for notice of applications determined to constitute a medical injury for purposes of professional discipline; providing for payment of compensation awards; creating s. 766.407, F.S.; providing for review of awards by an administrative law judge; providing for appellate review; creating s. 766.408, F.S.; requiring annual contributions from specified providers to provide administrative expenses; providing maximum contribution rates; specifying payment dates; providing for disciplinary proceedings for failure to pay; providing for deposit of funds; authorizing providers to opt out of participation; providing requirements for such an election; creating s. 766.409, F.S.; requiring notice to patients of provider participation in the Patient Compensation System; creating s. 766.410, F.S.; requiring an annual report to the Governor and Legislature; providing retroactive application; providing severability; providing an effective date.

—was referred to the Committees on Judiciary; Health Policy; Appropriations; and Rules.

By Senator Joyner—

SB 1136—A bill to be entitled An act relating to construction liens; amending s. 713.015, F.S.; revising a mandatory notice provision in contracts between owners and contractors; amending s. 713.06, F.S.; revising notice requirements relating to liens of persons not in privity; amending s. 713.13, F.S.; deleting a provision classifying certain payments as improper payments; revising the notice of commencement form to conform to changes made by the act and to provide an additional warning; amending s. 713.135, F.S.; revising the building permit card and application to conform to changes made by the act and to provide an additional warning; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Rules.

By Senator Hukill—

SB 1138—A bill to be entitled An act relating to title insurance agents and agencies; reordering and amending s. 626.841, F.S.; revising and adding definitions; amending s. 626.8411, F.S.; revising the list of other

code provisions that also apply to title insurance agents or agencies; amending s. 626.8412, F.S.; clarifying that title insurance may be sold only by licensed and appointed agents and agencies; amending s. 626.8413, F.S.; providing additional limitations on the name a title agent or agency may adopt; amending s. 626.8417, F.S.; conforming provisions to changes made by the act; amending s. 626.8418, F.S.; revising the application requirements for a title insurance agency license; requiring the name of any person who directs or participates in the management or control of the agency; requiring proof of name registration with the Division of Corporations; requiring fingerprinting of certain persons involved in the management or control of the agency; deleting certain security requirements and procedures; amending s. 626.8419, F.S.; revising requirements relating to the appointment of a title insurance agency; creating s. 626.8422, F.S.; specifying functions that may be performed by title agents, title agencies, and authorized employees; amending s. 626.8437, F.S.; updating terms relating to grounds for actions against a licensee or appointee; amending s. 626.8443, F.S.; increasing the time period for suspending a license; amending s. 626.8473, F.S.; revising provisions relating to escrow to allow a title agency rather than a title agent to act as an escrow agent; authorizing a licensed title agency to engage in simple escrow; revising and providing additional requirements relating to escrow and title accounts and funds; amending ss. 626.0428 and 627.797, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

By Senator Stargel—

SB 1140—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; amending s. 569.006, F.S.; authorizing the imposition of administrative penalties upon retail tobacco products dealers who commit certain offenses related to drug paraphernalia; making a technical change; repealing s. 569.0073, F.S., relating to the retail sale of certain smoking pipes and smoking devices; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Gibson—

SB 1142—A bill to be entitled An act relating to small business participation in state contracting; creating s. 287.0577, F.S.; defining the terms “contract bundling” and “small business”; directing that agencies avoid contract bundling under certain circumstances; requiring agencies to conduct market research and include written summaries and analyses of such research in solicitations for bundled contracts; requiring agencies to award a specified percentage of contracts to small businesses; requiring contract vendors to use small businesses in the state as subcontractors or subvendors; providing requirements with respect to payment of subcontractors, owners, and general contractors; prohibiting agencies, general contractors, or prime contractors from requiring certain bonds or other sureties for certain contracts; requiring the rules ombudsman in the Executive Office of the Governor to establish a system for reporting small business participation in state contracting; requiring agencies to cooperate with such reporting; requiring specified annual reports; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Commerce and Tourism; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Thompson and Clemens—

SB 1144—A bill to be entitled An act relating to physical education in the public schools; amending s. 1003.455, F.S.; revising criteria for waiver of physical education requirements for students in grades 6 through 8; providing an effective date.

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

By Senator Thompson—

SB 1146—A bill to be entitled An act relating to legislative employees; providing that legislative employees be given preference for employment interviews under specified conditions; providing an exception; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Rules; Appropriations Subcommittee on General Government; and Appropriations.

SR 1148—Not referenced.

By Senators Benacquisto and Brandes—

SB 1150—A bill to be entitled An act relating to state contracting; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit and approve agreements prior to execution; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; authorizing the Department of Financial Services to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.057, F.S.; requiring certain contract managers to be certified and directing the Department of Management Services to be responsible for establishing the requirements for certification; amending s. 287.058, F.S.; authorizing the Chief Financial Officer to audit and approve agreements prior to execution; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Banking and Insurance.

By Senator Margolis—

SB 1152—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; revising an exemption from public records requirements for any financial statement that an agency requires a prospective bidder to submit in order to prequalify for bidding or for responding to a proposal for a road or public works project; providing an exemption from public records requirements for any financial statement that a governmental entity or agency requires a prospective bidder to submit when bidding in response to an invitation to bid, submitting a letter of interest, or responding to a request for proposals or an invitation to negotiate pursuant to a public procurement; providing an exemption from public records requirements for financial information that a governmental entity requires a person to submit when responding to a solicitation; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; and Rules.

By Senator Sobel—

SB 1154—A bill to be entitled An act relating to chemicals of high concern; creating s. 403.9339, F.S.; providing a declaration of state policy

regarding the identification of chemicals of high concern; providing definitions; requiring the Department of Environmental Protection, in consultation with the Department of Health, to generate a list of chemicals of high concern; providing requirements for the review, revision, and publication of the list; providing criteria for the designation of a chemical as a chemical of high concern; authorizing the Department of Environmental Protection to participate in an interstate clearinghouse regarding the use of chemicals in consumer products; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Altman—

SB 1156—A bill to be entitled An act relating to space exploration; creating part XIII of ch. 288, F.S., entitled "Space Exploration Research Laboratory"; creating s. 288.9933, F.S.; requiring the Florida Institute of Technology to submit a plan to the Department of Economic Opportunity in order to qualify for grant funding of a space exploration research laboratory; requiring certain information to be included in the plan; requiring the institute to annually submit a report relating to expenditures and accomplishments of the space exploration research laboratory; specifying information for inclusion in the annual report; requiring the institute to enter into a contract containing certain terms with the Department of Economic Opportunity; providing for funding to cease under certain circumstances; requiring the Department of Economic Opportunity to make annual reviews and recommendations concerning whether to continue funding the space exploration research laboratory; providing for funding to cease under certain circumstances; amending s. 212.20, F.S.; directing the Department of Revenue, after notice by the Department of Economic Opportunity that certain contingencies have been met, to annually distribute for a certain number of years a specified amount of funds generated by visitor activity at the Kennedy Space Center and Cape Canaveral Air Force Station for the purpose of establishing and operating a space exploration research institute at the Florida Institute of Technology; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Commerce and Tourism; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 1158—A bill to be entitled An act relating to the Office of Faith-Based and Community Initiatives; creating the office within the Department of Economic Opportunity; directing the department to provide administrative and staff support services for the office; providing the duties of the office; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Bullard—

SB 1160—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising the frequency of inspections that owners of aerobic treatment unit systems must provide for under service agreements with certain maintenance entities permitted by the Department of Health; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Environmental Preservation and Conservation; and Rules.

By Senator Bradley—

SB 1162—A bill to be entitled An act relating to mandatory reports of child abuse; amending s. 39.201, F.S.; limiting the duty of an officer or employee of a law enforcement agency to provide notice to the Department of Children and Families of reasonable cause to suspect child abuse under certain circumstances; limiting the duty of the Central Abuse

Hotline to electronically transfer certain calls and reports to the county sheriff's office under certain circumstances; providing applicability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Stargel—

SB 1164—A bill to be entitled An act relating to high school athletics; reenacting and amending s. 1002.20(17), F.S.; making technical changes; amending s. 1006.15, F.S.; revising criteria for student eligibility for participation in extracurricular activities to include students in charter schools; amending s. 1006.20, F.S.; revising the criteria for bylaws, policies, or guidelines adopted by the Florida High School Athletic Association; requiring the association to complete a review by a specified date; requiring that the association submit a report to the Commissioner of Education, the Governor, and the Legislature; establishing notice requirements to specified parties; providing procedures for student residence and transfer approvals; providing that the burden is on the FHSAA to demonstrate by clear and convincing evidence that a student is ineligible to participate in a high school athletic competition; requiring that the FHSAA pay costs and attorney fees in certain circumstances; revising the composition of the board of directors of the association; revising what constitutes a quorum of the board of directors; providing restrictions for the salary, benefits, per diem, and travel expenses of the association's executive director; providing that members of the association's public liaison advisory committee are entitled to reimbursement for per diem and travel expenses at the same rate as state employees; providing an effective date.

—was referred to the Committees on Education; and Rules.

By Senator Bradley—

SB 1166—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to provide to the property appraiser certain attestations from the owner of the property on a uniform return; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Dean—

SB 1168—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.059, F.S.; providing for a mobile home park owner to increase the lot rental of the purchaser of a mobile home on a leased lot in the mobile home park; providing limitations on the amount of rent increase; providing guidelines for determining the amount of the adjustment; requiring a disclosure statement to be executed before or at the time of purchase; limiting the amount of lot rental increase on a lot that was previously subject to a lifetime lease; providing a penalty; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Flores—

SB 1170—A bill to be entitled An act relating to the use, prevention, and reduction of seclusion and restraint on students with disabilities in public schools; amending s. 1003.573, F.S.; providing definitions; providing legislative findings and intent; requiring that manual physical restraint be used only in an emergency when there is an imminent risk of serious injury or death to the student or others; providing restrictions on the use of manual physical restraint; prohibiting the use of manual physical restraint by school personnel who are not certified to use district-approved methods for applying restraint techniques; prohibiting specified techniques; requiring that each school medically evaluate a student after the student is manually physically restrained; prohibiting

school personnel from placing a student in seclusion; providing requirements for the use of time-out; requiring that a school district report its training and certification procedures to the Department of Education; requiring that school personnel be trained and certified in the use of manual physical restraint; requiring that a school review a student's functional behavior assessment and positive behavioral intervention plan under certain circumstances; requiring that parents be notified of a school district's policies regarding the use of manual physical restraint; requiring that each school send a redacted copy of any incident report or other documentation to Disability Rights Florida; requiring that the department make available on its website data of incidents of manual physical restraint by a specified date; requiring that each school district develop policies and procedures addressing the allowable use of manual physical restraint, personnel authorized to use such restraint, training procedures, analysis of data trends, and the reduction of the use of manual physical restraint; requiring that any revisions to a school district's policies and procedures be filed with the bureau chief of the Bureau of Exceptional Education and Student Services by a specified date; providing an effective date.

—was referred to the Committees on Education; Children, Families, and Elder Affairs; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simmons—

SB 1172—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

By Senator Ring—

SB 1174—A bill to be entitled An act relating to liens on personal property in self-service storage facilities and self-contained storage units; amending s. 83.806, F.S.; revising notice requirements for enforcement of liens by the owner of the self-service storage facility or self-contained storage unit; specifying a limit on the value of property stored in the tenant's storage unit; authorizing the towing of a vehicle in a storage unit under certain circumstances; limiting the liability of the owner of a self-service storage facility or self-contained storage unit after a vehicle is towed from such facility or unit; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Rules.

By Senator Simmons—

SB 1176—A bill to be entitled An act relating to the school surtax; amending s. 212.055, F.S.; allowing the school surtax to be used for operational expenditures as well as fixed capital outlay projects; requiring a school board to covenant to decrease a capital local school property tax in order to use surtax revenues for certain purposes; defining the terms “new or existing school projects” and “school facilities and campuses”; amending ss. 212.054, 1011.715, 1013.64, 1013.73, and 1013.736, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Bullard—

SB 1178—A bill to be entitled An act relating to the Central County Water Control District, Hendry County; amending chapter 2000-415, Laws of Florida; correcting the legal description of the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Senator Soto—

SB 1180—A bill to be entitled An act relating to state employee salaries; providing a short title; providing a competitive pay adjustment for state employees; requiring an appropriation; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations; and Rules.

By Senator Sobel—

SB 1182—A bill to be entitled An act relating to health education; amending s. 1003.428, F.S.; requiring students to earn one-half credit in health education, independent of the physical education credit requirement, for high school graduation; authorizing a waiver for students who request to take and successfully complete a health education assessment developed by the Department of Education; reducing the number of required credits in elective courses; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 1184—A bill to be entitled An act relating to punitive damages; amending s. 768.73, F.S.; providing that, in making its determination as to the appropriate limits of an award of punitive damages, the court is not subject to an implied presumption about the amount of punitive damages the court may award; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

By Senator Joyner—

SB 1186—A bill to be entitled An act relating to reducing or suspending the sentence of a juvenile offender; providing a short title; defining terms; providing that a juvenile offender who was 17 years of age or younger at the time of committing a nonhomicide offense and who was sentenced to 10 or more years of imprisonment may be eligible for a reduced or suspended sentence; setting forth the eligibility criteria for the court to reduce or suspend a sentence; authorizing the juvenile offender to petition for subsequent sentencing hearings if the court does not reduce or suspend the juvenile offender’s sentence; requiring that the juvenile offender participate in any available reentry program for a specified period following release; authorizing the court to appoint an attorney to represent the juvenile offender; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Hays—

SB 1188—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Brandes—

SB 1190—A bill to be entitled An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Grimsley—

SB 1192—A bill to be entitled An act relating to pharmacy and controlled substance prescription; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 458.326, F.S.; requiring a physician to consult the prescription drug monitoring program database or designate an agent to consult the database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; amending ss. 458.3265 and 459.0137, F.S.; requiring that owners of pain-management clinics be licensed physicians; removing language regarding non-physician-owned pain-management clinics; providing that regulation of the licensure, activity, and operation of pharmacies, pharmacists, and health care facilities and clinics is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies, pharmacists, and health care clinics and facilities, except for ordinances regarding local business taxes and land development; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the board to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 893.055, F.S.; deleting an obsolete provision; authorizing the prescription drug monitoring program to be funded by state funds and pharmaceutical company donations; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 1194—A bill to be entitled An act relating to the public broadcasting program system; amending ss. 1001.25 and 1001.26, F.S.; authorizing the Department of Education to provide equipment, funds, and other support for certain television stations owned and operated by a district school board and licensed by the Federal Communications Commission; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 1196—A bill to be entitled An act relating to independent special fire control districts; amending s. 191.009, F.S.; clarifying provisions that authorize a district to levy non-ad valorem assessments to construct, operate, and maintain specified district facilities and services; amending s. 191.011, F.S.; revising provisions relating to district authority to provide for the levy of non-ad valorem assessments on lands within the district rather than benefited real property; eliminating provisions relating to rate of assessment for benefited real property, to conform; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Sachs—

SB 1198—A bill to be entitled An act relating to elections; amending s. 101.045, F.S.; authorizing an elector who changes his or her legal residence to vote in the precinct to which he or she has moved even if the change of residence is not within the same county; amending s. 101.161, F.S.; limiting the ballot summary of a joint resolution to 75 words in length; deleting a provision that authorizes the use of multiple ballot statements to explain a joint resolution proposal; deleting a presumption that a ballot statement consisting of the full text of an amendment or revision is a clear and unambiguous statement of the substance and effect of the measure; amending s. 101.62, F.S.; revising the dates for when an absentee ballot request must be received and mailed; amending s. 101.657, F.S.; revising and expanding locations that may be designated as early voting sites; deleting a requirement that an early voting site be designated and used as such for at least 1 year before an election; increasing and specifying the days and hours for conducting early voting at certain elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; Judiciary; and Rules.

By Senator Simpson—

SB 1200—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as non-agricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting an evidentiary presumption that land is not being used primarily for bona fide agricultural purposes if it is purchased for a certain amount above its agricultural assessment; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property

appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Agriculture; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 1202—A bill to be entitled An act relating to credit card solicitations on college campuses; prohibiting the solicitation of credit cards on Florida College System institutions or state university campuses; providing an effective date.

—was referred to the Committees on Banking and Insurance; Education; and Rules.

By Senator Clemens—

SB 1204—A bill to be entitled An act relating to charter schools; requiring a student transferring from a charter school to a traditional public school to take a placement test selected by the district school board; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Clemens—

SB 1206—A bill to be entitled An act relating to charter schools; providing that the performance of certain transfer students, as measured by learning growth, may not be included in the performance evaluation of certain traditional public school personnel for a specified period; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Rules.

By Senator Bullard—

SB 1208—A bill to be entitled An act relating to school safety; amending s. 212.20, F.S.; providing that state sales and use taxes collected on firearms and ammunition shall be allocated to the Safe Schools Trust Fund rather than the General Revenue Fund; creating s. 790.0535, F.S.; providing that a student present within a school safety zone who is carrying a weapon or firearm in violation of specified provisions may avoid charges by surrendering the weapon or firearm to a specified person at the earliest opportunity if the student has committed no other offense involving the weapon or firearm; amending s. 1006.025, F.S.; requiring a school district's guidance plan to include mandatory guidance counseling for certain students in school safety issues; amending ss. 11.45, 202.18, 218.245, 218.65, 288.11621, and 288.1169, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 1210—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing the court in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that term "family cases" has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for pro-

tection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

By Senator Soto—

SB 1212—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; reorganizing local ombudsman councils; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; providing duties of the State Long-Term Care Ombudsman Advisory Council; providing for membership, terms, and meetings; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; authorizing a representative of the office to enter a facility without notice and without a warrant; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Clemens—

SB 1214—A bill to be entitled An act relating to public records; creating s. 499.815, F.S.; exempting from public records requirements a form, application, record, interview, report, physician's statement, memorandum, or drug test result, relating to the medical use of cannabis, held by the Department of Health, the Department of Business and Professional Regulation, or the Department of Revenue; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Policy; Governmental Oversight and Accountability; and Rules.

By Senator Bradley—

SB 1216—A bill to be entitled An act relating to wage theft; amending s. 34.01, F.S.; granting county courts original jurisdiction over specified

collection actions; creating s. 448.115, F.S.; defining the term “wage theft”; providing circumstances under which an employer commits wage theft; providing specific notice requirements; requiring a claim to be filed within a specified time; requiring an employer to pay or resolve the matter within a specified time; providing that a claim is governed by the Florida Small Claims Rules; providing procedural requirements; requiring the claimant to prove wage theft by a preponderance of the evidence; limiting damages to actual compensation owed; prohibiting attorney fees or other damage awards; authorizing the Attorney General to seek injunctive relief against an employer accused of wage theft; authorizing the Attorney General to seek money damages, up to a specified amount, in addition to injunctive relief under certain circumstances; authorizing a county, municipality, or political subdivision to establish an administrative process to facilitate the collection of money owed to an employee; requiring such process to include an opportunity for negotiation between parties; authorizing a county, municipality, or political subdivision to include in the process payment of certain fees and assistance with certain applications; prohibiting adjudication; prohibiting any law, ordinance, or rule regarding unpaid compensation claims other than as authorized for the administrative process; grandfathering local ordinances that govern wage theft and that were enacted before a specified date; providing an exception; creating s. 448.116, F.S.; providing definitions; prohibiting a political subdivision from adopting or enforcing certain rules and ordinances and voiding such rules and ordinances; providing that this section does not limit the authority of a political subdivision to establish conditions of employment for certain persons or to establish a certain process or forum; providing that this section does not prohibit a certain tribal government from establishing conditions of employment for certain persons; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Commerce and Tourism; and Appropriations.

By Senator Soto—

SB 1218—A bill to be entitled An act relating to residential foreclosure proceedings; providing a short title; creating s. 501.1379, F.S.; defining the term “mortgage collection firm”; prohibiting a mortgage collection firm from offering false evidence in a mortgage foreclosure proceeding; providing that a violation is a deceptive and unfair trade practice; providing penalties and remedies; providing for the award of attorney fees and costs under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Banking and Insurance; and Appropriations.

By Senator Joyner—

SB 1220—A bill to be entitled An act relating to trust funds; creating s. 20.1955, F.S.; creating the Behavioral Health Intervention and Treatment Trust Fund within the Department of Children and Families; providing purposes of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Richter—

SB 1222—A bill to be entitled An act relating to protection of vulnerable persons; amending s. 812.0145, F.S.; reducing the minimum amount of a theft from a person 65 years of age or older that constitutes a felony of the third degree; providing criminal penalties; amending s. 825.101, F.S.; revising definitions; adding the definitions for the terms “impaired” and “vulnerable adult”; amending s. 825.102, F.S.; revising terminology to prohibit specified offenses against a vulnerable adult; amending s. 825.1025, F.S.; revising terminology to prohibit specified lewd and lascivious offenses committed upon or in the presence of a vulnerable adult; conforming provisions to changes made by the act; amending s. 825.103, F.S.; revising terminology to prohibit specified offenses involving exploitation of a vulnerable adult; conforming provisions to changes made by the act; amending s. 825.105, F.S.; revising

terminology to provide legislative intent relating to good faith assistance to a vulnerable adult; amending s. 825.106, F.S.; revising terminology concerning speedy trial of specified offenses; amending ss. 90.803, 435.04, 775.084, 775.0844, 775.0877, 782.07, 921.0022, 948.06, 960.003, and 1012.315, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Bullard—

SB 1224—A bill to be entitled An act relating to trust funds; creating s. 1010.88, F.S.; creating the Safe Schools Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for annual carryforward of trust fund balances; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Soto—

SB 1226—A bill to be entitled An act relating to homestead foreclosure relief; providing for application to homestead property mortgaged within a certain time period; providing a statute of limitations for entering a deficiency judgment; limiting the time period the lienholder can collect moneys owed; providing that the collection time may be tolled if the debtor commits fraud or if the debtor is held in contempt of court; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Soto—

SB 1228—A bill to be entitled An act relating to short sale debt relief; creating the “Short Sale Debt Relief Act”; defining terms; providing that a debtor does not owe a deficiency to a lienholder related to an eligible real property sold pursuant to a bona fide short sale if an offer is received by a debtor within a specified time period and under specified conditions; providing for the distribution of proceeds; requiring a lienholder to approve the short sale of property and execute any document necessary to close the sale within a specified time period if a debtor procures a buyer who makes an offer in writing equal to the fair market value of the eligible property; providing that a debtor has a claim against a lienholder for actual damages, costs, elimination of the lien, and attorney fees if the lienholder violates the act; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Clemens—

SB 1230—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing that when a charter school is dissolved any unencumbered public funds from the school revert to the sponsor and other funds revert to the Department of Education to be redistributed among eligible charter schools; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 1232—A bill to be entitled An act relating to public education; creating s. 1003.615, F.S.; providing a short title; providing legislative intent and purpose; providing to certain school districts the option of statutory waivers from certain statutes in ch. 1000-1013, F.S., and corresponding administrative rules; authorizing the State Board of Education to enter into a performance contract with a school district to provide a statutory waiver; authorizing a school district, upon a super-

majority vote by the district school board, to apply for a waiver from certain statutes; requiring that a school district that receives one or more waivers comply with certain statutes; specifying exceptions to the statutory waivers; requiring that an application for each waiver request be submitted to the commissioner and the State Board of Education; providing requirements for the application; providing that a waiver may be requested at any point during the fiscal year; requiring that the commissioner and the State Board of Education make a decision within a specified period of time; providing that the governing board of a school district is the duly elected district school board; requiring that each school district submit an annual report to the Governor and the Legislature by a specified date; providing requirements for the report; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Joyner—

SB 1234—A bill to be entitled An act relating to the sale of firearms and ammunition; amending s. 790.065, F.S.; providing an administrative fee to be imposed on the sale of firearms and ammunition by licensed dealers in this state; requiring fees collected to be deposited into the Behavioral Health Intervention and Treatment Trust Fund; amending s. 20.195, F.S.; providing for carryforward of unexpended funds in the trust fund at the end of fiscal year; conforming provisions; amending s. 20.1955, F.S.; providing legislative intent; providing for distributions from the trust fund; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 1236—A bill to be entitled An act relating to the mortgage principal reduction program; creating the “Mortgage Principal Reduction Act”; defining terms; requiring that the Florida Housing Finance Corporation apply to the United States Department of the Treasury by a specified date to request funds not to exceed a specified amount from the federal Hardest-Hit Fund program to establish a new state program to reduce the principal on mortgages for persons whose homestead property in this state is in foreclosure; requiring the corporation to use the allocated funds to purchase delinquent mortgages on such property from lenders at a discount to reduce the mortgage principal amount due on the mortgage; creating an application process and corporate procedures; specifying that only members of The Florida Bar and HUD-certified counselors working for a non-profit entity may assist program applicants in applying for or program participants in servicing a loan created by the program; requiring that the corporation submit monthly reports to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Brandes—

SB 1238—A bill to be entitled An act relating to educator preparation; amending s. 1004.04, F.S.; revising the rules in establishing uniform core curricula for a teacher preparation program to include instruction in the state standards adopted by the State Board of Education; requiring departments and colleges of education to emphasize the state system of school improvement and education accountability concepts and standards, including state standards adopted by the State Board of Education, rather than the Sunshine State Standards; requiring state-approved teacher preparation programs to incorporate instruction in the state standards adopted by the State Board of Education; amending s. 1012.56, F.S.; revising the acceptable means of demonstrating mastery of professional preparation and education competence to include successful completion of a specified professional education training program and the achievement of a passing score on the professional education competency examination; revising criteria for a temporary certificate; providing that certain graduates of specified institutions take first

priority for vacancies in the professional preparation alternative certification program; requiring the Department of Education to inform institutions of higher learning of the program; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 1240—A bill to be entitled An act relating to children who are deaf or hard of hearing; providing legislative findings; requiring health care providers to provide an opportunity for a child's parent or legal guardian to provide contact information so that he or she may receive information from specified service providers when the hearing loss is identified; requiring the Department of Health to register certain service providers and institutions; allowing a parent or legal guardian to request services from a participating service provider; providing that the level of services received is based on the child's individualized education program or individual and family service plan; providing for eligibility; providing a funding formula; requiring the department to develop standards for participating service providers; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Health Policy; Education; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Ring and Thompson—

SB 1242—A bill to be entitled An act relating to coverage for mental and nervous disorders; amending s. 627.668, F.S.; revising requirements and limitations for optional coverage for mental and nervous disorders; authorizing an insurer or health maintenance organization to take certain steps to reduce service costs; specifying nonapplication under certain circumstances; amending s. 627.6675, F.S.; conforming a cross-reference; repealing s. 627.669, F.S., relating to optional coverage required for substance abuse impaired persons; requiring the Office of Insurance Regulation to submit a report to the Legislature containing specified information; providing for application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Appropriations.

By Senator Soto—

SB 1244—A bill to be entitled An act relating to county contributions to the Medicaid program; creating a study group to evaluate the percentage of funds that counties are required to contribute to the Medicaid program; requiring that the study group provide recommendations to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Bean—

SB 1246—A bill to be entitled An act relating to public retirement plans; amending ss. 185.03 and 185.08, F.S.; specifying applicability of ch. 185, F.S., to certain consolidated governments; providing that a consolidated government that has entered into an interlocal agreement to provide police protection services to a municipality within its boundaries is eligible to receive the premium taxes reported for the municipality under certain circumstances; authorizing the municipality receiving the police protection services to enact an ordinance levying the tax as provided by law; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Hays—

SB 1248—A bill to be entitled An act relating to hurricane mitigation; transferring responsibility for the public model for hurricane loss projection from the Office of Insurance Regulation to the Division of Emergency Management; amending s. 215.559, F.S.; revising provisions relating to the Hurricane Loss Mitigation Program; deleting provisions specifying how program funds are to be spent, including the Manufactured Housing and Mobile Home Mitigation and Enhancement Program, and the Florida International University International Hurricane Research Center; deleting reports prepared by Tallahassee Community College and a report prepared by the division; specifying program components, including responsibility for the public model for hurricane loss projections, which includes the charging of an access fee, the development of a mitigation database, mitigation credits and inspections, mitigation grants, mitigation outreach, and mitigation research; authorizing the division to leverage program funding; repealing s. 627.06281, F.S., relating to the public hurricane loss projection model; transferring provisions of that section to ss. 212.559 and 627.06292, F.S.; amending s. 627.0629, F.S.; revising factors that must be considered or included in the rate filings for residential property insurance; reordering and amending s. 627.06292, F.S.; revising provisions relating to the public model for hurricane loss projections; conforming a cross-reference; amending s. 627.351, F.S.; conforming a cross-reference; deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Clemens—

SB 1250—A bill to be entitled An act relating to medical cannabis; creating part III of ch. 499, F.S.; creating s. 499.801, F.S.; providing a short title; creating s. 499.802, F.S.; providing legislative findings; creating s. 499.803, F.S.; providing a legislative purpose; creating s. 499.804, F.S.; providing definitions; creating s. 499.805, F.S.; authorizing a qualifying patient to possess and administer medical cannabis, and possess and use paraphernalia for a specified purpose; authorizing the patient's caregiver to possess and administer medical cannabis to a qualifying patient and to possess and use paraphernalia for a specified purpose; providing that a registry identification card, or its equivalent, which is issued from another jurisdiction has the same force and effect as a registry identification card issued by the Department of Health; requiring a qualifying patient or the patient's caregiver to present to a law enforcement officer a registry identification card to confirm that the person is authorized to possess, use, or administer medical cannabis or paraphernalia; requiring a qualifying patient or the patient's caregiver to possess, use, or administer only medical cannabis that is obtained from a dispensary or medical cannabis farm; authorizing a qualifying patient who is a minor to possess, use, or administer medical cannabis only if the parent or legal guardian signs a written statement; providing requirements for the written statement; providing a procedure to change the patient's designation of a caregiver; providing a procedure for replacing a lost registry identification card; providing that a registration form to obtain a registry identification card is deemed valid if the Department of Health fails to issue or deny the registration form within a specified number of days; authorizing the department to revoke a cardholder's registry identification card; creating s. 499.806, F.S.; providing restrictions for the use of medical cannabis; requiring a person who wishes to be a qualifying patient or the patient's caregiver to register with the department; providing the maximum amount of medical cannabis which a qualifying patient or the patient's caregiver may possess; prohibiting medical cannabis from being administered in a public place or at a dispensary; authorizing medical cannabis to be administered in certain medical treatment facilities; requiring a qualifying patient or the patient's caregiver to transport medical cannabis in a labeled container or sealed package; providing that the act does not allow a person to undertake a task under the influence of medical cannabis when doing so constitutes negligence or malpractice; providing that the use of medical cannabis does not create a defense to certain offenses; providing that evidence of a person's voluntary intoxication that results from the use of medical cannabis is not admissible for certain reasons; authorizing a person or entity to provide information about the existence or operation of a medical cannabis farm or dispensary to another person; prohibiting a law enforcement officer from further stopping or detaining a person if the law enforcement officer determines that the person is in

compliance with the use of medical cannabis or paraphernalia; creating s. 499.807, F.S.; authorizing a physician to recommend use of medical cannabis under certain circumstances; requiring the physician to sign a written recommendation if he or she recommends the use of medical cannabis; providing requirements for the written recommendation; providing that a physician is not subject to penalty, arrest, prosecution or disciplinary proceedings or denial of a right or privilege for advising a qualifying patient about the use of medical cannabis, recommending the use of medical cannabis, providing a written recommendation for a patient's medical use of cannabis, or stating that, in the physician's professional opinion, the potential benefits of medical cannabis would likely outweigh the health risks for a patient; prohibiting a physician from having a professional office located at a medical cannabis farm or dispensary or receiving financial compensation from a medical cannabis farm or dispensary or its directors, officers, members, incorporators, agents, or employees; creating s. 499.808, F.S.; requiring the Department of Business and Professional Regulation to regulate the permitting and licensure of medical cannabis farms and dispensaries; requiring each medical cannabis farm to apply for permitting and each dispensary to apply for licensure with the Department of Business and Professional Regulation before manufacturing, cultivating, dispensing, possessing, or distributing medical cannabis, or manufacturing, possessing, using, or distributing paraphernalia; creating s. 499.809, F.S.; authorizing a dispensary or medical cannabis farm to possess, cultivate, manufacture, or possess medical cannabis and to manufacture, purchase, possess, and distribute paraphernalia for a specified purpose; authorizing a dispensary to dispense to a qualifying patient or the patient's caregiver medical cannabis and distribute paraphernalia; authorizing a qualifying patient or the patient's caregiver to obtain medical cannabis and paraphernalia from a dispensary under certain circumstances; prohibiting a dispensary from directly dispensing to a qualifying patient or through the patient's caregiver more than specified amount of medical cannabis, mature marijuana plants, immature marijuana plants, or marijuana plant seedlings within a specified time period; requiring each medical cannabis farm and dispensary to implement a security plan; requiring the Department of Business and Professional Regulation to develop educational materials that a dispensary must distribute to a qualifying patient or the patient's caregiver; prohibiting a director, officer, member, incorporator, agent, or employee of a medical cannabis farm or dispensary from having certain felony convictions; providing that a person who violates or has violated the act may not be a director, officer, member, incorporator, agent, or employee of a medical cannabis farm or dispensary; requiring the Department of Business and Professional Regulation to revoke the permit or license of the medical cannabis farm or dispensary until the convicted or formerly convicted person is no longer a director, officer, member, incorporator, agent, or employee of the medical cannabis farm or dispensary; creating s. 499.810, F.S.; providing that certain qualifying patients, their caregivers, nurse practitioners, registered nurses, pharmacists, and other persons are not subject to arrest, prosecution, penalty, or denial of any right or privilege regarding the medical use of medical cannabis under certain circumstances; prohibiting a school, employer, or property owner from refusing to enroll, employ, or lease to or penalize a person who is a cardholder; providing that a presumption is created when a qualifying patient or the patient's caregiver is engaged in the authorized use of medical cannabis; authorizing the use of evidence to rebut that presumption; authorizing the patient's caregiver to be reimbursed for certain costs; providing that such reimbursement is not the sale of a controlled substance; providing that certain interests or rights to property related to the medical use of cannabis may not be forfeited under the Florida Contraband Forfeiture Act; providing that a qualifying patient's medical use of cannabis is the equivalent to the authorized use of any other medication used at the direction of a physician; providing that such use does not constitute the use of an illicit drug under s. 893.03, F.S.; providing for affirmative defenses; authorizing the clerk of the court to assess a fee for dismissal of a case in certain circumstances; authorizing a qualifying patient to operate, navigate, or be in actual physical control of a motor vehicle, aircraft or vessel under certain circumstances; providing that a person who makes a fraudulent representation to a law enforcement officer relating to activities involving medical cannabis or paraphernalia is subject to a criminal fine in addition to other penalties under law; creating s. 499.811, F.S.; providing additional defenses to a prosecution involving cannabis; authorizing a person to assert the medical purpose for using cannabis in a motion to dismiss; providing that certain interests or rights to property related to a qualifying patient's use of cannabis for medical purposes may not be forfeited under the Florida Contraband Forfeiture Act under certain circumstances; providing that a person who

cultivates, manufactures, possesses, administers, dispenses, distributes, or uses cannabis, or manufactures, possesses, distributes, or uses paraphernalia, in a manner not authorized by this act is subject to criminal prosecution and sanctions under the Florida Comprehensive Drug Abuse Prevention and Control Act; creating s. 499.812, F.S.; providing that the act does not require a governmental, private, or other health insurance provider or health care services plan to cover, or prohibit it from covering, a claim for reimbursement for the use of medical cannabis; creating s. 499.813, F.S.; prohibiting an employer, laboratory, employee assistance program, and alcohol and drug rehabilitation program and their agents from releasing certain information without a written consent; providing requirements for the written consent; prohibiting information regarding a qualifying patient or the patient's caregiver from being released or used in a criminal proceeding; providing that such information is inadmissible as evidence; authorizing the Department of Health and its employees to have access to information regarding a qualifying patient or the patient's caregiver under certain circumstances; creating s. 499.814, F.S.; requiring the Department of Health, the Department of Business and Professional Regulation, and the Department of Revenue to adopt rules by a specified date; requiring the fees collected by the departments to be applied first to the cost of administering the act; authorizing a state resident to commence an action in a court of competent jurisdiction if the departments fail to adopt rules by a specified date; creating part XVII of ch. 468, F.S.; creating s. 468.901, F.S.; providing a purpose; creating s. 468.902, F.S.; providing legislative findings and intent; creating s. 468.903, F.S.; providing definitions; creating s. 468.904, F.S.; requiring the Department of Business and Professional Regulation to adopt certain rules; establishing the medical cannabis section within the Department of Business and Professional Regulation; requiring the medical cannabis section of the department to require medical cannabis farms and dispensaries to maintain certain records and information; requiring the medical cannabis section of the department to develop education materials, conduct inspections, and revoke or suspend licenses or permits; requiring the medical cannabis section of the department to adopt rules; creating s. 468.905, F.S.; authorizing a medical cannabis farm to possess, cultivate, and manufacture medical cannabis, medical cannabis-based products, and marijuana plants for wholesale in this state; requiring a medical cannabis farm to be registered with the department before possessing, manufacturing, cultivating, and wholesaling medical cannabis, medical cannabis-based products, or marijuana plants; requiring agricultural classification for land used as a medical cannabis farm; prohibiting a medical cannabis farm from conducting retail sales or transactions; requiring a medical cannabis farm to implement a security plan and maintain procedures in which medical cannabis-based products are accessible only to authorized personnel; providing that the active ingredient in all medical cannabis-based products cultivated, manufactured, and wholesaled to a licensed dispensary in this state must be wholly derived from marijuana plants cultivated and grown in this state, except for marijuana seeds and seedlings; providing that a medical cannabis farm is provided certain protections and is not deemed a public nuisance solely because its farm product includes production of marijuana; creating s. 468.906, F.S.; authorizing a dispensary to dispense and sell to a qualifying patient or patient's caregiver medical cannabis, medical cannabis-based products, marijuana plants, and medical cannabis-related paraphernalia and to manufacture, purchase, possess, and distribute medical cannabis-related paraphernalia; requiring each dispensary to be registered with the department before possessing, purchasing, or retailing medical cannabis, medical cannabis-based products, marijuana plants, or medical cannabis-related paraphernalia; prohibiting a dispensary from conducting wholesale sales or transactions; authorizing a dispensary to retail to a qualifying patient or patient's caregiver medical cannabis, medical cannabis-based products, marijuana plants, or medical cannabis-related paraphernalia if the qualifying patient or patient's caregiver meets certain conditions; requiring a dispensary to purchase its medical cannabis-based products from a medical cannabis farm that has a department-issued permit; prohibiting a dispensary from dispensing a certain amount of medical cannabis and marijuana plant seedlings to a qualifying patient or caregiver within a certain time period; requiring a dispensary to maintain certain records for a specified number of years; requiring a dispensary to make available educational materials; requiring a dispensary to prohibit a qualifying patient or patient's caregiver from using or administering any form of medical cannabis while on the property of the dispensary; creating s. 468.907, F.S.; prohibiting a person from engaging in the business of a medical cannabis farm except in conformity with part XVII of ch. 468, F.S.; providing factors for standards for qualifying for a permit or for

renewing a permit to operate a medical cannabis farm; requiring the department to establish permitting fees; providing maximum amounts for the fees; requiring a person who cultivates, manufactures, or wholesales medical cannabis, medical cannabis-based products, or marijuana plant products at one or more locations to possess a current valid permit for each location; authorizing an applicant for a permit to operate a medical cannabis farm to commence an action in a court of competent jurisdiction to compel the Department of Business and Professional Regulation to perform certain actions if the department fails to adopt rules by a specified date; creating s. 468.908, F.S.; prohibiting a person from operating a dispensary in this state except in conformity with part XVII of ch. 468, F.S.; providing factors for standards for qualifying for a license or for renewing a license to operate a dispensary; requiring the Department of Business and Professional Regulation to establish by rule licensure fees; providing maximum amounts for the fees; requiring a person who conducts the wholesale purchase or retail sale of any form of medical cannabis products at more than one location to possess a current valid license for each location; authorizing an applicant for a license to operate a dispensary to commence an action in a court of competent jurisdiction to compel the department to perform certain actions if the department fails to adopt rules by a specified date; creating s. 468.909, F.S.; requiring the department to prescribe application forms; providing requirements for submitting an application for a license or a permit; authorizing the department to require an applicant to furnish other information or data; creating s. 468.910, F.S.; providing requirements for licenses and permits; authorizing the department to include other information on a license or permit; providing that a license or permit may not be issued, renewed, or allowed to remain in effect for certain circumstances; prohibiting a person from knowingly submitting information or presenting to the department a false, fictitious, or misrepresented application, identification, document, information, statement, or data intended or likely to deceive the department in order to obtain a license or permit; authorizing the department to adopt rules regarding persons who legally possess medical cannabis for the purpose of teaching, research, or testing in a laboratory setting; authorizing the department to issue letters of exemption; providing that a person who violates or has violated any provision of this part may not be a director, officer, member, incorporator, agent, or employee of a medical cannabis farm or dispensary; providing that any prior authorization of such person shall be immediately revoked; requiring the department to suspend the license or permit of the medical cannabis farm or dispensary until the person is removed from the position of director, officer, member, incorporator, agent, or employee; creating s. 468.911, F.S.; providing that certain terms may be used to designate a medical cannabis farm that has a department-issued permit or a licensed dispensary; requiring for conspicuous display of a license or permit; providing specified dates for validity and expiration of licenses and permits; providing application procedures for obtaining initial licenses and permits and renewal of licenses and permits; providing the fee structure for reactivating an inactive license or permit; creating s. 468.912, F.S.; requiring the reporting of a loss, theft, or unexplained shortage of medical cannabis product to the local law enforcement agency and the department; requiring any sheriff, police department, or law enforcement officer in this state to give immediate notice to the department of a theft, illegal use, or illegal possession of medical cannabis and to forward a copy of his or her final written report to the department; requiring an investigating law enforcement agency to forward a copy of its written report to the department; requiring the department to retain the reports; creating s. 468.913, F.S.; providing procedures for the issuance of a cease and desist order; creating s. 468.914, F.S.; authorizing the department to impose administrative fines for violations for part XVII of ch. 468, F.S., and applicable department rules; providing procedures for payment of administrative fines; providing that all fines, monetary penalties, and costs received by the department in connection with this part shall be deposited in the Professional Regulation Trust Fund of the Department of Business and Professional Regulation; creating s. 468.915, F.S.; authorizing the department to seek injunctive relief and to apply for temporary and permanent orders for certain violations; creating s. 468.916, F.S.; providing circumstances that warrant immediate suspension of a license or permit; requiring the department to enter an order revoking or suspending all licenses or permits of a licensee or permittee under certain circumstances; providing requirements for an order of suspension and an order of revocation; providing for application of an order of revocation or suspension to a newly issued permit or license; providing that a person whose permit or license has been suspended or revoked may not be issued a new permit or license under any other name or company name until the expiration of the suspension or revocation;

creating s. 468.917, F.S.; providing that all hearings and review of orders from the department must be conducted in accordance with ch. 120, F.S.; creating s. 468.918, F.S.; providing for criminal penalties; creating s. 468.919, F.S.; prohibiting a county or municipality from creating or imposing an ordinance or rule that is more restrictive than the provisions contained in this part and the applicable department rules; creating s. 468.920, F.S.; providing that all fees collected for licenses and permits are deposited in the Professional Regulation Trust Fund; providing that all moneys collected and deposited in the Professional Regulation Trust Fund must be used by the department in the administration of part XVII of ch. 468, F.S.; requiring the department to maintain a separate account in the Professional Regulation Trust Fund for the Drugs, Devices, and Cosmetics program; amending ss. 812.14, 893.03, 893.13, 893.1351, 893.145, and 921.0022, F.S.; conforming provisions to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; Criminal Justice; and Appropriations.

By Senator Simpson—

SB 1252—A bill to be entitled An act relating to building construction; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; amending s. 553.992, F.S.; requiring the department to administer statewide criteria for building energy-efficiency rating systems; requiring department rules to prohibit a sole provider from conducting functions relating to the building energy-efficiency rating system; amending s. 553.993, F.S.; providing a definition for the term "building energy-efficiency rating system"; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating system; revising language; requiring the interest group to advise the department in the adoption and administration of the system; deleting a provision that requires the interest group to assist in the implementation of the system by performing certain acts; requiring the department to approve, rather than develop, a training and certification program to certify raters; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Appropriations.

By Senator Detert—

SB 1254—A bill to be entitled An act relating to postsecondary education tuition; amending s. 1009.21, F.S.; providing that, if certain criteria are met, a dependent child whose deceased parent was a United States citizen and a legal resident of this state may qualify as a resident

of this state for tuition purposes while completing the requirements for a high school diploma; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Brandes—

SB 1256—A bill to be entitled An act relating to the Florida Forest Service; amending s. 589.11, F.S.; deleting authority of the Florida Forest Service to operate a seedling tree nursery program and to sell seedling trees to the public for purposes of the federal Clarke-McNary Law; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Grimsley—

SB 1258—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Ring—

SB 1260—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 1262—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; revising the definitions for “corporation,” “covered policy,” and “retention”; providing for calculation of an insurer’s reimbursement premium and retention under the reimbursement contract; revising coverage levels available under the reimbursement contract; revising aggregate coverage limits; providing for the phase-in of changes to coverage levels and limits; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; deleting obsolete provisions related to temporary emergency options for additional coverage; terminating the temporary increase in coverage limit options at the end of the 2012-2013 contract year; deleting other obsolete provisions; amending s. 627.062, F.S.; deleting a provision prohibiting the recoupment of certain costs; amending ss. 624.424, 627.0629, 627.351,

F.S.; conforming cross-references; authorizing the State Board of Administration to adopt emergency rules if necessary and providing applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Appropriations.

By Senator Flores—

SB 1264—A bill to be entitled An act relating to hospital licensure; amending s. 395.003, F.S.; authorizing certain specialty-licensed children’s hospitals to provide obstetrical services under certain circumstances; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Soto—

SM 1266—A memorial to the President and the Congress of the United States, urging them to award the Congressional Gold Medal to the United States 65th Infantry Regiment, the Borinqueneers.

—was referred to the Committee on Military Affairs, Space, and Domestic Security.

By Senator Detert—

SB 1268—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; amending s. 48.031, F.S.; requiring an employer, employee, or representative or agent of an employer to permit an authorized individual to make service on an employee in a private area designated by the employer; providing criminal penalties for persons failing to comply with the process; authorizing substitute service during the first attempt of service at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 56.27, F.S.; requiring the levying creditor to deliver to the sheriff an affidavit setting forth how to pay out moneys received under an execution sale; providing that the sheriff is not liable for damages under certain circumstances; amending s. 394.463, F.S.; requiring a mental health receiving facility to accept an electronic order for involuntary examination served by a law enforcement agency; amending s. 397.6818, F.S.; requiring a substance abuse licensed service provider to accept an electronic order for involuntary assessment and stabilization which is served by a law enforcement agency on the service provider; establishing procedures to serve process; amending s. 608.463, F.S.; providing that service of process on a limited liability company occurs as if it were a corporation; amending s. 741.30, F.S.; setting forth the effectiveness of a temporary injunction in a domestic violence proceeding; amending ss. 741.31, 784.046, and 784.0485, F.S.; requiring that if a final order of injunction for protection against domestic violence, dating violence, or stalking is issued but not served, the terms of the temporary injunction, if served, remain in full force and effect until service of the final order is effected upon the respondent; amending s. 784.0487, F.S.; providing that it is unlawful for a person to violate a final injunction for protection against stalking or cyberstalking by having in his or her care, custody, possession, or control any firearm or ammunition; amending s. 901.15, F.S.; conforming provisions; expanding situations in which an arrest without a warrant is lawful to include probable cause of stalking, cyberstalking, and child abuse; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Senator Hays—

SB 1270—A bill to be entitled An act relating to the liability of a property owner; amending s. 375.251, F.S.; modifying the definition of “outdoor recreational purposes”; providing that a person who, without charge, provides the public with an area for aviation activities owes no duty of care to keep that area safe for others; providing an effective date.

—was referred to the Committees on Judiciary; Environmental Preservation and Conservation; and Rules.

By Senator Joyner—

SB 1272—A bill to be entitled An act relating to sale or transfer of firearms at gun shows; amending s. 790.001, F.S.; providing definitions; creating s. 790.0653, F.S.; prohibiting any person other than a licensed dealer from being a gun show vendor; prohibiting the sale or transfer of a weapon at a gun show unless a licensed dealer is a party to the transaction; providing criminal penalties; amending ss. 790.06, 790.115, 790.145, 790.1612, 810.095, and 921.0024, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Regulated Industries; Commerce and Tourism; and Rules.

By Senator Clemens—

SB 1274—A bill to be entitled An act relating to corporations; providing a directive to the Division of Law Revision and Information; amending s. 607.1302, F.S.; providing that the amendment of articles of incorporation or the merger, conversion, or share exchange of a social purpose or benefit corporation entitles the shareholders to appraisal rights; providing a directive to the Division of Law Revision and Information; creating s. 607.501, F.S.; providing application and effect; creating s. 607.502, F.S.; providing definitions; creating s. 607.503, F.S.; establishing requirements for the formation of a social purpose corporation; creating s. 607.504, F.S.; providing procedures for an existing corporation to become a social purpose corporation; creating s. 607.505, F.S.; providing procedures for the termination of a social purpose corporation; creating s. 607.506, F.S.; requiring that the corporate purpose must be to create a public benefit; providing criteria; creating s. 607.507, F.S.; requiring that the directors of a social purpose corporation meet a standard of conduct; providing criteria for the standards; creating s. 607.508, F.S.; authorizing the articles of incorporation of a social purpose corporation to provide for a benefit director; providing powers and duties of a benefit director; creating s. 607.509, F.S.; requiring that the officers of a social purpose corporation meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.510, F.S.; authorizing a social purpose corporation to designate an officer as a benefit officer; providing for the powers and duties of a benefit officer; creating s. 607.511, F.S.; authorizing certain legal actions to be brought against a social purpose corporation, its officers, or its directors; creating s. 607.512, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.513, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; providing criteria; providing a directive to the Division of Law Revision and Information; creating s. 607.601, F.S.; providing for application and effect; creating s. 607.602, F.S.; providing definitions; creating s. 607.603, F.S.; establishing requirements for the formation of a benefit corporation; creating s. 607.604, F.S.; providing procedures for an existing corporation to become a benefit corporation; creating s. 607.605, F.S.; providing procedures for the termination of a benefit corporation; creating s. 607.606, F.S.; requiring that the corporate purpose be to create a public benefit; providing criteria; creating s. 607.607, F.S.; requiring the directors of a benefit corporation to meet a standard of conduct; providing criteria for the standards; creating s. 607.608, F.S.; authorizing the articles of incorporation of a benefit corporation to provide for a benefit director; providing powers and duties of the benefit director; creating s. 607.609, F.S.; requiring the officers of a benefit corporation to meet a standard of conduct; providing criteria for the standards of conduct; creating s. 607.610, F.S.; authorizing a benefit corporation to designate an officer as a benefit officer; providing for the powers and duties of the benefit officer; creating s. 607.611, F.S.; authorizing certain legal actions to be brought against a benefit corporation, its officers, or its directors; creating s. 607.612, F.S.; requiring the board of directors to prepare an annual benefit report; providing criteria for the preparation of the report; creating s. 607.613, F.S.; establishing requirements for the availability and dissemination of the annual report; authorizing a court to order dissemination of the report; providing criteria; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Judiciary.

By Senator Montford—

SB 1276—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for certain portions of meetings of a university direct-support organization or of the executive committee or other committees of the board of directors of such organization; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; Ethics and Elections; and Rules.

By Senator Sachs—

SB 1278—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the expiration date to extend the availability of health flex plans to low-income uninsured state residents; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Community Affairs.

By Senator Sachs—

SB 1280—A bill to be entitled An act relating to tax dealer collection allowances; amending s. 212.12, F.S.; revising the process for dealers to elect to forgo the sales tax collection allowance and direct that the collection allowance amount be transferred into the Educational Enhancement Trust Fund; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Stargel—

SB 1282—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; requiring policies agreed to by the sponsor and charter school to be incorporated into the charter contract; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; prohibiting the governing board or other related entity of a charter school subject to a corrective action plan or financial recovery plan from applying to open an additional charter school; providing disclosure requirements; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; requiring the use of a standard charter contract; reducing the amount of time for negotiation of a charter; revising provisions relating to the issuance of a final order in contract dispute cases; providing a restriction relating to a required certificate of occupancy; authorizing the consolidation of multiple charters into a single charter in certain circumstances; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; restricting expenditures upon nonrenewal or termination of a charter school; requiring a charter school to maintain specified information on a website; revising provisions relating to determination of a charter school's student enrollment; revising provisions requiring charter school compliance with statutes relating to education personnel compensation, contracts, and performance evaluations and workforce reductions; providing requirements for the reimbursement of federal funds to charter schools; requiring that certain unused school district facilities be made available to, or shared with, charter schools at no cost until the beginning of the fourth fiscal year the school is open, at which time the charter school shall pay the sponsor a negotiated rent for the facility; restricting capital outlay funding; requiring the use of standard charter and charter renewal contracts and a standard evaluation instrument; providing restrictions on the employment of governing board members; amending s. 1002.331, F.S.; clarifying the definition of a high-performing charter school; providing requirements for modification of a charter; requiring the Commissioner of Education to annually review a high-performing

charter school's eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; providing for an entity that operates outside this state to obtain high-performing charter school system status; establishing requirements to obtain such status; requiring the State Board of Education to adopt by rule a process for reviewing student demographic and performance data in determining such status; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; authorizing declassification as a high-performing charter school system; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thrasher—

SB 1284—A bill to be entitled An act relating to civil remedies against insurers; amending s. 624.155, F.S.; requiring a party bringing a common-law claim of bad faith against an insurer to first provide written notification to the Department of Financial Services and the insurer; requiring that such notice specify the common-law duty violated by the insurer and specify the amount of moneys that an insurer has failed to pay if the violation includes such failure; providing that a violation based on certain statutory or common-law claim is corrected by payment of certain monetary tenders by an insurer; providing that in a third-party liability claim, an insured is entitled to a general release under certain circumstances; providing that the applicable statute of limitations is tolled if certain notices alleging a violation of common law are mailed; providing that third-party claimants having competing claims are entitled to a prorated share of policy limits under certain circumstances if the insurer files an interpleader action within a certain time period; revising provisions to conform to changes made by the act; making technical and grammatical changes; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Sobel—

SB 1286—A bill to be entitled An act relating to children and adults who have extensive medical needs; creating s. 400.336, F.S.; creating a specialty license for certain medical facilities that have centers in the facility which specialize in caring for children; requiring the facility to display the specialty license; authorizing the Agency for Health Care Administration to develop a specialized survey process; providing standards and requirements for licensure; requiring the center to maintain an emergency medication kit; providing requirements for the physical environment of the center; providing an exemption; providing admission criteria for the center; providing requirements for an individualized plan of care for each child; requiring a center to notify the local district school board that there is a school-aged child residing in the center; providing notice requirements for the center regarding a child's education program; providing that the failure or inability of a school district to provide an educational program according to the child's ability to participate does not obligate the center to supply or furnish an educational program or create a cause of action against the school district for failure or inability to provide an educational program; providing that the act does not prohibit, restrict, or prevent the parents or legal guardians of a child from providing a private educational program; requiring the center to have a discharge plan for each child; providing requirements for discharge; requiring the center to provide medical and dental services; providing minimum nursing staffing requirements; requiring the center to develop, implement, and maintain an annual written staff education plan for all employees who work with children which includes preservice and inservice programs; providing requirements for the programs; requiring employees of a center to receive instruction on the prevention and control of infection, the prevention of accident, and safety awareness; amending s. 409.905, F.S.; requiring the agency to pay Medicaid's prevailing rate only for bed-hold days if the facility or a children's specialty care center has an occupancy rate of 95 percent or greater; amending s. 409.906, F.S.; authorizing the agency to provide home and community-based services for children and adults who are medically fragile; specifying eligibility criteria; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

SR 1288—Not referenced.

By Senator Sobel—

SB 1290—A bill to be entitled An act relating to Military and Veterans Affairs; creating s. 115.135, F.S.; providing that an employee of the state or any county, municipality, or other political subdivision who is the spouse of a military servicemember may not be compelled to work overtime or extended work hours during active duty deployment of his or her spouse; prohibiting the imposition of a sanction or penalty upon such employee for failure or refusal to work overtime or extended work hours during the period of his or her spouse's active duty deployment; requiring an employing authority to grant a request by such employee for unpaid leave for specified purposes during the active duty deployment; providing a limitation on such unpaid leave; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

SR 1292—Not referenced.

By Senator Sobel—

SR 1294—A resolution recognizing music therapy as a valid health care service.

—was referred to the Committee on Rules.

Senate Resolutions 1296-1298—Not referenced.

By Senator Simmons—

SB 1300—A bill to be entitled An act relating to limited liability companies; designating the Florida Limited Liability Company Act as part I of chapter 608, F.S.; amending s. 608.401, F.S.; conforming a cross-reference; creating s. 608.706, F.S.; providing for construction; providing for applicability of and transition from the Florida Limited Liability Company Act to the Florida Revised Limited Liability Company Act, as created by this act; creating part II of chapter 608, F.S.; creating the "Florida Revised Limited Liability Company Act"; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions related to registered agents; providing for service of process; providing for the formation and filing of documents of a limited liability company with the Department of State; providing penalties for failing to file an annual report; providing for the sharing of distributions before dissolution, profits, and losses; providing limitations on distributions and liability for improper distributions; establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for the payment of costs and attorney fees in an action to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the judicial or administrative dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain cases of judicial dissolution; providing for claims against a dissolved limited liability company and the payment of expenses and attorney fees; providing for a direct action by a member against another member, a manager, or the limited liability company; providing for a derivative action by a member; providing for payment of attorney fees and costs in a derivative action; providing requirements and procedures for a foreign limited liability corporation; providing for charitable and donative actions of a limited liability company; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing for court costs and attorney fees in actions concerning a de-

mand for payment by a member; providing miscellaneous provisions concerning application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, reservation of power to amend or appeal, and application to a limited liability company formed under the Florida Limited Liability Company Act before a specified date; providing for the future repeal of part I of chapter 608, F.S., relating to the Florida Limited Liability Company Act; providing for severability; providing effective dates.

—was referred to the Committees on Judiciary; and Commerce and Tourism.

By Senator Garcia—

SB 1302—A bill to be entitled An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a temporary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

—was referred to the Committees on Health Policy; Education; and Banking and Insurance.

By Senator Garcia—

SB 1304—A bill to be entitled An act relating to driver licenses and identification cards; amending s. 322.08, F.S.; authorizing alternative forms of identification for certain applicants for a driver license or identification card; requiring the department to distinguish between licenses and cards that are compliant with the REAL ID Act of 2005 and those that are not in certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Gibson—

SB 1306—A bill to be entitled An act relating to renters' insurance; requiring a residential rental agreement to specify whether renters' insurance is required and to provide a line for a tenant's initials; requiring an agreement that requires renters' insurance to specify the coverage required; requiring that an agreement that does not require renters' insurance include a statement advising the tenant to obtain renters' insurance; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Rules.

By Senator Lee—

SB 1308—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; deleting a provision prohibiting the discussion of a patient's medical condition; providing circumstance under which patient records may be released without prior written authorization; revising conditions under which confidential patient information acquired in the course of care or treatment may be disclosed by a health care practitioner; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an ex parte interview with a claimant's treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization for release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct ex parte interviews with the claimant's health care providers; providing an effective date.

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

By Senator Lee—

SB 1310—A bill to be entitled An act relating to medical negligence actions; amending s. 766.102, F.S.; establishing standard of proof in actions based on the failure of a health care provider to order, perform, or administer certain tests; shifting burden of proof to claimant; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; providing an effective date.

—was referred to the Committees on Judiciary; and Health Policy.

By Senator Lee—

SB 1312—A bill to be entitled An act relating to medical negligence claims; creating s. 766.1091, F.S.; authorizing a health care provider or health care clinic and a patient or prospective patient to agree to submit a claim of medical negligence to arbitration; requiring that the arbitration agreement be governed by ch. 682, F.S.; authorizing the arbitration agreement to contain a provision that limits an award of damages; providing an effective date.

—was referred to the Committees on Judiciary; and Health Policy.

By Senator Lee—

SB 1314—A bill to be entitled An act relating to medical negligence actions; amending s. 768.0981, F.S.; prescribing limitations on medical negligence actions against hospitals; providing an effective date.

—was referred to the Committees on Judiciary; and Health Policy.

By Senator Garcia—

SB 1316—A bill to be entitled An act relating to apportionment of income by sales factor; amending s. 220.153, F.S.; defining the term "manufacturer"; providing that only manufacturers doing business within and without this state are eligible for special apportionment of adjusted federal income solely by sales factor for purposes of the state corporate income tax; deleting provisions requiring certain qualified capital expenditures within a specified time period in order to qualify for such apportionment; deleting application requirements with respect thereto; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Soto—

SB 1318—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for a complaint of misconduct filed against a public employee with a state agency or a political subdivision of the state and all information obtained pursuant to the investigation by the agency or political subdivision of the complaint of misconduct; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Senator Soto—

SB 1320—A bill to be entitled An act relating to community cats; amending s. 828.27, F.S.; providing definitions; providing that release of a community cat by a community cat program is not abandonment or unlawful release of the cat under specified provisions; providing that counties and municipalities may enact ordinances relating to community cat programs to curtail community cat population growth; providing immunity for such ordinances; providing that a veterinarian or community cat caregiver who provides services or care for cats in a com-

munity cat program is immune from criminal and civil liability; providing an exception; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Judiciary.

By Senator Gibson—

SB 1322—A bill to be entitled An act relating to children’s initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children’s initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; and Appropriations.

By Senator Soto—

SB 1324—A bill to be entitled An act relating to school attendance; amending s. 1002.20, F.S.; providing that compulsory school attendance laws apply to all children between the ages of 6 and 18 years; providing that a student who attains the dropout age does not need a parent’s signature to file a declaration of intent to terminate school; removing the requirement that a school notify the student’s parent of such declaration; amending s. 1003.21, F.S.; requiring students to attend school until the age of 18 years; amending s. 1003.435, F.S.; providing that a candidate for a high school equivalency diploma must be at least 18 years of age on the date of the examination; repealing s. 1003.51(4), F.S., relating to a requirement that district school boards make available a GED program to students in juvenile justice facilities who attain the age of 16 years or notify such students that they are no longer required to attend school; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Abruzzo—

SB 1326—A bill to be entitled An act relating to an education pilot program; creating s. 1003.59, F.S.; requiring the Department of Education to create a pilot program for the lowest-performing public schools in this state which have a large population of economically disadvantaged students; providing that the pilot program create a public and private partnership to supply certain services to economically disadvantaged students; providing a statement of purpose for the pilot program; providing the duties of the department for each year of the pilot program; requiring the department to submit its recommendation, the rationale behind the recommendation, and supporting data to the Governor and the Legislature by a specified date; requiring the department to adopt rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Garcia—

SB 1328—A bill to be entitled An act relating to testing for the human immunodeficiency virus; amending s. 381.004, F.S.; providing definitions; providing that informed consent to perform an HIV test to identify the human immunodeficiency virus, or its antigen or antibody, must be obtained from a legal guardian or other person authorized by law for certain persons; revising the situations in which test results may be released; amending ss. 381.0041, 456.032, 627.429, 641.3007, 775.0877, and 960.003, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Latvala—

SB 1330—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing an exception; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; creating s. 493.631, F.S.; defining terms; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances; providing procedures and requirements with respect thereto; authorizing the security officer or security agency manager to search the person detained under certain circumstances; providing identification requirements for certain licensed security officers and security agency managers; providing immunity to law enforcement officers, licensed security officers, and licensed security agency managers under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Hays—

SB 1332—A bill to be entitled An act relating to reemployment assistance; amending s. 443.1216, F.S.; defining the term “an organization that is operated primarily for religious purposes”; requiring the Department of Economic Opportunity to adopt procedural rules governing the application and review of organization requests for classification as an organization that is operated primarily for religious purposes; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Garcia—

SB 1334—A bill to be entitled An act relating to the Department of Health; amending s. 322.142, F.S.; providing that certain exempt records held by the Department of Highway Safety and Motor Vehicles be provided to the Department of Health to facilitate the issuance of a license; amending s. 381.0022, F.S.; providing that the Department of Health may share certain confidential and exempt information with the Agency for Health Care Administration for certain purposes; creating s. 381.791, F.S.; authorizing the department to adopt rules to administer the Charlie Mack Overstreet Brain or Spinal Cord Injuries Act; amending s. 395.3025, F.S.; providing that patient records may be disclosed without patient consent to the department under certain circumstances and prescribing the use of such records; amending s. 456.013, F.S.; conforming provisions to changes made by the act; revising requirements related to the physical characteristics of a license issued by the department; amending s. 456.025, F.S.; conforming provisions to changes made by the act; amending s. 456.031, F.S.; revising requirements for a licensee’s completion of a domestic violence course; amending s. 456.035, F.S.; requiring a licensee to provide the department with his or her e-mail address; providing that service to a licensee’s e-mail address constitutes official and sufficient notice under certain circumstances; creating s. 456.0361, F.S.; providing a definition for the term “monitor”; providing that the department may not renew a license until the licensee demonstrates compliance with continuing education requirements; providing that additional penalties may be imposed for failure to comply with continuing education requirements; authorizing the department to adopt rules; amending s. 456.038, F.S.; providing that the department may provide renewal and cancellation notices to a licensee’s e-mail address; amending s. 456.072, F.S.; revising procedures to determine costs recoverable by the department in a disciplinary action; amending s. 458.319, F.S.; requiring physicians to complete certain continuing medical education requirements; authorizing the Board of Medicine to adopt certain rules regarding continuing medical education requirements; amending s. 464.203, F.S.; conforming provisions to changes made by the act; repealing s. 464.2085, F.S., relating to the Council on

Certified Nursing Assistants; repealing s. 466.032(2), F.S., relating to notice provided by the department to dental laboratories; amending s. 467.009, F.S.; revising accreditation requirements for midwifery programs; repealing s. 468.1735, F.S., relating to the issuance of a provisional license for a nursing home administrator; amending s. 468.503, F.S.; revising the definition of the term “registered dietitian”; amending s. 468.505, F.S.; updating the name of an accrediting organization; repealing s. 480.033(5), F.S.; removing the definition of the term “apprentice” as it relates to massage therapy; amending s. 480.041, F.S.; revising qualifications for licensure as a massage therapist; deleting a provision requiring the Board of Massage Therapy to adopt rules establishing a training program for apprentices; conforming a cross-reference; amending s. 480.042, F.S.; revising procedures and retention of records related to massage therapy licensure examination; amending s. 480.044, F.S.; eliminating fees for massage therapy apprentices; amending s. 483.901, F.S.; conforming definitions to changes made by the act; deleting provisions creating the Advisory Council of Medical Physicists; transferring powers of the council to the department; requiring the department to adopt rules and develop certain standards; conforming provisions to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Thompson—

SB 1336—A bill to be entitled An act relating to school personnel performance evaluation; amending s. 1012.34, F.S.; revising provisions relating to the measurement of student learning growth for purposes of evaluating classroom and nonclassroom instructional personnel; prohibiting an employee from being penalized for unsatisfactory performance based on certain student learning growth data; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 1338—A bill to be entitled An act relating to school improvement plans; amending s. 1001.42, F.S.; requiring a template for use by a public school in preparing its school improvement plan; providing requirements for completion of the plan; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 1340—A bill to be entitled An act relating to state lotteries; creating s. 24.132, F.S.; providing for a special instant scratch-off lottery game titled “Ticket for the Cure”; providing for revenues to be used for the purpose of funding breast cancer research and services for certain breast cancer victims; providing restrictions for the use of funds; defining the terms “net revenue” and “research”; authorizing the Department of the Lottery to adopt rules; amending s. 24.121, F.S.; providing for revenues to be equitably apportioned to certain state universities to be used for the purpose of funding breast cancer research and services for certain breast cancer victims; providing an effective date.

—was referred to the Committees on Gaming; Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Abruzzo—

SB 1342—A bill to be entitled An act relating to traffic control; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right-on-red violation under specified provisions; revising notification requirements; revising procedures for disposition upon notice of violation; providing that initiating a proceeding to challenge the delivery or attempted delivery of the notice of

violation or a citation waives any challenge or dispute as to delivery; revising provisions for issuance of a citation; revising provisions for enforcement when a person other than the owner is designated as having care, custody, or control of the motor vehicle at the time of the violation; providing that specified provisions for notice of violation apply to such designated person; specifying that the burden of proving guilt rests upon the governmental entity bringing the charge and that a person may not be compelled to be a witness against himself or herself; specifying that, in any hearing involving a traffic infraction detector or similar unattended device, each person so charged has the right to confront the witnesses against him or her; providing procedures for presentation and authentication of evidence relating to a traffic infraction detector or similar unattended device; specifying requirements for compensation of witnesses for the prosecution; amending s. 316.075, F.S.; requiring traffic control signals to maintain certain signal intervals and display durations based on posted speeds; providing that a citation for specified violations shall be dismissed if the traffic control signal does not meet specified requirements; providing dates for intersections to meet such requirements; providing penalties for violation by a local governmental entity; providing for dismissal of citations issued at certain non-conforming intersections and refund of penalties collected pursuant to such citations; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Latvala—

SB 1344—A bill to be entitled An act relating to malt beverages; amending s. 563.06, F.S.; authorizing an additional size for individual containers of malt beverages sold or offered for sale by vendors at retail; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; Community Affairs; and Rules.

By Senator Montford—

SB 1346—A bill to be entitled An act relating to Medicaid managed care; amending s. 409.972, F.S.; providing an exemption from mandatory enrollment in managed care for children residing in certain licensed residential programs approved by the Department of Children and Families; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Flores—

SB 1348—A bill to be entitled An act relating to required instruction in public schools; providing a short title; amending s. 1003.42, F.S.; revising the curriculum of the character-development program required in kindergarten through grade 12; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Bradley—

SB 1350—A bill to be entitled An act relating to criminal penalties; amending s. 775.082, F.S.; providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring that a judge consider certain factors before determining if life imprisonment is an appropriate sentence; providing retroactive application; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Ring—

SB 1352—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform statewide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; amending s. 200.069, F.S.; authorizing the property appraiser to notify taxpayers of proposed property taxes by postcard or e-mail in lieu of first-class mail; providing notice language; authorizing the property appraiser to prepare and make available on the appraiser's website the notice of proposed property taxes; providing additional notice requirements; amending s. 648.421, F.S.; requiring a licensed bail bond agent to provide notice of a change of e-mail address to specified entities; amending s. 648.43, F.S.; requiring a bail bond agent who executes or countersigns a transfer bond to indicate the agent's e-mail address; amending s. 648.44, F.S.; providing that a bail bond agent's e-mail address is permissible print advertising in certain places; creating s. 903.012, F.S.; permitting bonds to be posted in person or electronically at the election of the receiving agency; permitting the electronic transmission of bonds between certain entities; amending s. 903.101, F.S.; providing that every licensed surety shall have equal access to jails for the purpose of making bonds either in person or electronically; amending s. 903.14, F.S.; requiring a surety who submits an affidavit pertaining to any bond to file an affidavit in the same manner as the bond; amending s. 903.26, F.S.; authorizing a clerk of court to mail or electronically transmit a notice relating to a bond forfeiture proceeding; amending s. 903.27, F.S.; permitting a clerk of court to furnish certain required documents and notices relating to bond forfeitures by mail or electronic means; deleting an outdated provision; amending s. 903.31, F.S.; providing that a certificate of cancellation of an original bond may be furnished by mail or electronically; amending s. 903.36, F.S.; providing that traffic arrest bond certificates may be presented in person or electronically; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Detert—

SB 1354—A bill to be entitled An act relating to the financing of motor vehicles; amending s. 545.01, F.S.; revising definitions; defining the term “financed product”; creating s. 545.045, F.S.; prohibiting a manufacturer or wholesale distributor that offers a certain financed product from taking certain actions relating to a paper arising from the retail sale or lease of a motor vehicle which includes the third party's financed product; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; and Rules.

By Senator Flores—

SB 1356—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in the year 2014; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Flores—

SB 1358—A bill to be entitled An act relating to audits of pharmacy records; amending s. 465.188, F.S.; revising requirements for the audit of Medicaid-related pharmacy records; requiring that audits of third-party payor and third-party administrator records of pharmacy permittees be conducted in specified manners; providing that claims containing certain clerical or recordkeeping errors are not subject to financial recoupment

under certain circumstances; specifying that certain audit criteria apply to third-party claims submitted after a specified date; prohibiting certain accounting practices used for calculating the recoupment of claims; prohibiting the audit criteria from requiring the recoupment of claims except under certain circumstances; providing procedures for review and appeal of third-party payor and third-party administrator audits; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Sobel—

SB 1360—A bill to be entitled An act relating to education funding; providing a short title; amending s. 1008.331, F.S.; providing that a person must be a state-approved supplemental educational services provider to offer supplemental educational services in this state; providing requirements for applying to be a state-approved supplemental educational services provider; prohibiting certain persons from being a supplemental educational services provider or from continuing to offer supplemental educational services; providing that the service designations be based on student learning gains, progress reports, and students' report cards; requiring the Department of Education to create an external complaint procedure in which parents or a public school may file with the school district a complaint against a state-approved supplemental educational services provider; requiring the department's supplemental educational services program to undergo an annual audit; amending s. 1011.62, F.S.; requiring each school district to use funding for supplemental academic instruction to provide summer school programs for certain students in kindergarten through grade 12; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Grimsley—

SB 1362—A bill to be entitled An act relating to municipal governing body meetings; amending s. 166.0213, F.S.; authorizing the governing bodies of municipalities to hold meetings within specified boundaries; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Accountability.

By Senator Thompson—

SB 1364—A bill to be entitled An act relating to public school personnel; amending s. 1012.22, F.S.; authorizing additional criteria for the use of advanced degrees in setting salary schedules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thompson—

SB 1366—A bill to be entitled An act relating to rental car surcharges; amending s. 212.0606, F.S.; authorizing counties to impose an additional surcharge on the lease or rental of motor vehicles; requiring a referendum; providing procedures and requirements for imposing a local surcharge; providing for the effective date of a local surcharge; providing for the distribution and use of funds collected from local surcharges; providing procedures for collection; providing exceptions; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Ring—

SB 1368—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an ob-

solete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations and registered intern licenses; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; amending s. 491.009, F.S.; revising acts constituting grounds for the denial of a license or disciplinary action; authorizing the board and the Department of Health to deny licensure or impose specified penalties against an applicant or licensee for certain violations; amending s. 491.0112, F.S.; revising a provision providing that a psychotherapist who commits sexual misconduct with a client or former client commits a felony of the third degree; amending s. 491.012, F.S.; prohibiting a person from using the title “mental health counselor coach” without a valid mental health counselor license; deleting an obsolete provision; amending s. 491.0145, F.S.; providing certified master social workers a limited exemption from continuing education requirements; amending s. 491.0149, F.S.; requiring the use of applicable professional titles by licensees, provisional licensees, and registrants on social media and other specified materials; creating s. 491.017, F.S.; providing a presumption of good faith for the actions of a court-appointed mental health professional who develops a parenting plan recommendation; prohibiting anonymous complaints; providing prerequisites for a parent to bring a suit against a mental health professional; providing for the awarding of attorney fees and court costs; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Children, Families, and Elder Affairs; and Appropriations.

By Senator Montford—

SB 1370—A bill to be entitled An act relating to maximum class size; amending s. 1003.03, F.S.; calculating a school district’s class size categorical allocation reduction at the school average when maximum class size requirements are not met; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Bradley—

SB 1372—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court may consider when ordering pretrial detention; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Bullard—

SB 1374—A bill to be entitled An act relating to school zero-tolerance policies; amending s. 1006.13, F.S.; revising legislative intent; requiring school zero-tolerance policies to only report acts that pose a serious threat to school safety to law enforcement and to otherwise handle acts within their own discipline systems; providing requirements for referrals of juveniles to the criminal or juvenile justice system for petty acts of misconduct or misdemeanors; requiring school districts to assign expelled students to a disciplinary program during the period of expulsion; revising requirements for agreements between school districts and law enforcement agencies; requiring that certain policies be provided to the

Department of Education annually; providing for a model policy; making distribution of certain funds contingent on compliance with specified procedures; requiring an annual report by the Commissioner of Education; requiring approval of certain policies in order to receive certain funds; authorizing funds to be used for specified activities; requiring a report concerning the use of funds; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Senator Abruzzo—

SB 1376—A bill to be entitled An act relating to motorist safety; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing an effective date.

—was referred to the Committees on Community Affairs; Health Policy; and Judiciary.

By Senator Montford—

SB 1378—A bill to be entitled An act relating to education; amending ss. 1003.428 and 1003.429, F.S.; conforming provisions to changes made by the act; amending s. 1003.43, F.S.; conforming terminology; amending s. 1008.22, F.S.; revising the duties of the Commissioner of Education with regard to developing and implementing a student achievement assessment program; requiring the commissioner to develop alternative assessments for certain student populations; requiring the commissioner to create a pilot project, in conjunction with school districts, to administer more frequently the statewide assessments for those students who do not meet passing scores on the first administration; providing requirements for the pilot project; requiring the commissioner to review the results of the pilot project and submit recommendations to the Governor and the Legislature; revising the school year in which each school district is required to administer a student assessment that measures mastery of the content of each course offered in the district; requiring the commissioner, in collaboration with a consortium of school district representatives, to assist and support districts in developing local assessments; requiring the Department of Education to implement a state platform of item banks and assessments by a specified date; requiring each school district to complete the platform’s development and field test the item banks and assessments by specified school years; requiring the Department of Education to provide the school district an assessment if the platform of state item banks and assessments fails to support a school district’s need for a particular assessment; requiring the commissioner to collaborate with school district representatives in developing the assessments; providing the purposes of the consortium; requiring the Commissioner of Education to analyze the content for certain nationally recognized high school achievement tests to determine equivalent scores for statewide assessments for high school graduation; conforming terminology; requiring the commissioner to adopt those scores as meeting the graduation requirement in lieu of achieving a passing score on the statewide assessments; requiring existing equivalent scores to remain in effect when test content or scoring procedures change for statewide assessments or for a high school achievement test until new equivalent scores are established; requiring existing equivalent scores to remain in effect until new equivalent scores are determined with regard to scores for end-of-course assessments; amending s. 1008.30, F.S.; requiring the State Board of Education to provide the common placement test to each school district for administration at least six times during a student’s 4 years in high school; revising the rules that the State Board of Education must adopt to evaluate the college

readiness of each student who indicates an interest in postsecondary education and who scores certain levels on certain statewide assessments; amending s. 1008.34, F.S.; revising the exceptions to the requirement that a school receive a school grade; conforming a cross-reference; amending s. 1009.531, F.S.; conforming terminology; amending s. 1012.22, F.S.; revising the definition of the term “grandfathered salary schedule” with regard to salary schedules adopted by a district school board; conforming provisions to changes made by the act; revising the start date for when a district school board is required to adopt a performance salary schedule; authorizing a classroom teacher whose performance evaluation uses student learning growth measures to remain under the grandfathered salary schedule under certain circumstances; revising the date in which certain instructional personnel or school administrators are placed on performance salary schedules; amending s. 1012.335, F.S.; revising the procedures for conducting a hearing when instructional personnel contest charges that are grounds for suspension or dismissal; authorizing the employee to appeal the determination of the district school board; amending s. 1012.34, F.S.; revising the criteria for evaluating the performance of instructional personnel and school administrators; revising the procedures for conducting a hearing when an employee wishes to contest a district school superintendent’s recommendation regarding the employee’s performance evaluation; authorizing the employee to appeal the determination of the district school board; revising the starting school year in which a school district is required to measure student learning growth; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Lee—

SB 1380—A bill to be entitled An act relating to justices and judges; amending s. 25.073, F.S.; defining the terms “senior justice” and “senior judge”; making technical corrections and conforming terminology; amending s. 121.021, F.S.; providing that “termination” for a senior justice or judge occurs when all employment ceases and the justice or judge retires from the Florida Retirement System; amending s. 121.053, F.S.; conforming terminology; amending s. 121.091, F.S.; providing that a senior justice or judge is not subject to certain specified limitations on employment after retirement; amending s. 121.591, F.S.; providing that a senior justice or judge may receive benefit payments under certain circumstances; amending s. 216.292, F.S.; conforming terminology; increasing by specified amounts the required employer contribution rates of the Florida Retirement System and the required employer contribution rates for the unfunded actuarial liability of the Florida Retirement System; providing a finding by the Legislature of proper and legitimate state purpose and a declaration of important state interest; providing that specified provisions of the act relating to retired justices and judges take effect only if the Legislature appropriates a specified amount to the judicial branch and the State Courts Administrator certifies that the appropriation was made and that the appropriation was not vetoed by the Governor; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Appropriations.

By Senator Latvala—

SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “candidate” to include a candidate for a political party executive committee; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes

his or her candidacy to a different office; amending ss. 106.022 and 106.03, F.S.; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates and political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting ss. 106.075(2) and 106.19, F.S., relating to contributions made to pay back campaign loans incurred, and relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to s. 106.08, F.S., in references thereto; providing effective dates.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Appropriations.

By Senator Galvano—

SB 1384—A bill to be entitled An act relating to nursing home litigation; amending s. 400.023, F.S.; providing that a nursing home resident who alleges negligence or a violation of residents’ rights has a cause of action against the nursing home licensee or its management company and the licensee’s direct caregiver employees; declaring that ss. 400.023-400.0238, F.S., provide the exclusive remedy against a nursing home licensee or its management company for a cause of action for recovery of damages arising out of negligence or a violation of residents’ rights; providing that a cause of action may not be asserted against certain specified persons; providing exceptions; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of admissible evidence proffered by the parties which provides a reasonable basis for recovery of punitive damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient admissible evidence to ensure that there is a reasonable basis to believe that the claimant will be able to demonstrate by clear and convincing evidence that the recovery of punitive damages is appropriate; requiring the trier of fact to find by clear and convincing evidence that a specific person or corporate defendant actively and knowingly participated in intentional misconduct or engaged in conduct that constituted gross negligence and contributed to the loss, damages, or injury suffered by the claimant before punitive damages may be awarded; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to certain specified conduct before holding the licensee vicariously liable for punitive damages; providing an effective date.

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

By Senator Hays—

SB 1386—A bill to be entitled An act relating to water and wastewater utility systems; creating s. 159.810, F.S.; requiring that the Di-

vision of Bond Finance of the State Board of Administration review the allocation of private activity bonds to determine the availability of additional allocation or reallocation of bonds for water and wastewater infrastructure projects; amending s. 212.08, F.S.; extending tax exemptions to certain investor-owned water and wastewater utilities; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission any person who resells water service to certain tenants or residents up to a specified cost; amending s. 367.081, F.S.; establishing criteria for the commission to consider in determining the quality of water and wastewater services provided by a utility; establishing a procedure for the commission to follow if it determines that a utility has failed to provide water and wastewater services that meet certain standards; authorizing rules adopted by the commission to include fines; authorizing the commission to create a utility reserve fund to establish rates for a utility; providing reasons to automatically increase or decrease approved rates of a utility; establishing criteria for such adjusted rates; providing specified expense items that are eligible for automatic increase or decrease of utility rates; providing standards for the commission to establish, by rule, additional specific expense items that are eligible to automatically increase or decrease utility rates; deleting certain requirements for approved utility rates that are automatically increased or decreased, upon notice to the commission, because of an increase or decrease in the fees imposed upon such utility; deleting a prohibition on a utility from using such procedure to increase its rates under certain circumstances; prohibiting the commission from awarding rate case expense under certain circumstances; amending s. 367.0814, F.S.; describing the circumstances under which the commission may and may not award rate case expense to cover attorney fees or fees for other outside consultants; providing that the commission may adopt related rules; amending s. 367.0816, F.S.; requiring the commission to determine that the amount of rate case expense is reasonable before such rate case expense can be apportioned for a 4-year recovery period; providing limitations on and rules for the 4-year amortized rate case expense recovery; amending s. 403.8532, F.S.; allowing the Department of Environmental Protection to make, or request that the Florida Water Pollution Control Financing Corporation make, loans, grants, and deposits to for-profit privately owned or investor-owned systems, and deleting restrictions that provide otherwise; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; and Ethics and Elections; and Senators Latvala, Gardiner, Thrasher, Legg, Lee, Benacquisto, Flores, Diaz de la Portilla—

CS for SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising definitions; creating s. 112.3125, F.S.; defining the term “public officer”; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; specifying applicability of amendments made by the act; creating s. 112.3142, F.S.; defining the term “constitutional officers”; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial

disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for “principal” and “special gain or loss”; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for “electronic filing system”; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission’s proposal; amending s. 112.3145, F.S.; revising the definitions of “local officer” and “specified state employee”; revising procedures for the filing of a statement of financial interests with a candidate’s qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by a certified public accountant; requiring a certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay a certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection

methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of “procurement employee”; creating a definition for “vendor”; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for “gift” and “immediate family”; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of “procurement employee”; creating a definition for “vendor”; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; correcting a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections—

CS for SB 4—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; creating an exemption from public records requirements for written referrals and related records held by the Commission on Ethics, the Governor, the Department of Law Enforcement, or a state attorney; creating an exemption for records relating to a preliminary investigation held by the Commission on Ethics; creating an exemption from public meetings requirements for portions of proceedings of the Commission on Ethics in which the referrals are discussed or acted upon; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Negron and Evers—

CS for SB 50—A bill to be entitled An act relating to public meetings; creating s. 286.0114, F.S.; defining “board or commission”; requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; providing exceptions; establishing requirements for rules or policies adopted by the board or commission; providing that compliance with the requirements of this section is deemed to have occurred under certain circumstances; providing that a circuit court has jurisdiction to issue an injunction under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that an action taken by a board or commission which is found in violation of this section is not void; providing that the act fulfills an important state interest; providing an effective date.

By the Committee on Transportation; and Senators Detert, Montford, Margolis, Richter, Latvala, Abruzzo, and Benacquisto—

CS for SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

By the Committee on Health Policy; and Senator Hays—

CS for SB 60—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Transportation; and Senators Hays, Abruzzo, Simpson, Evers, and Lee—

CS for SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; requiring an affidavit; requiring the Department of Highway Safety and Motor Vehicles to issue a decal; providing specifications for the decal; providing for a fee; providing an effective date.

By the Committee on Community Affairs; and Senator Diaz de la Portilla—

CS for SB 84—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties for private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; providing an effective date.

By the Committee on Education; and Senators Flores and Benacquisto—

CS for SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term “school property”; providing an exception; providing an effective date.

By the Committee on Criminal Justice; and Senators Negron, Brandes, Evers, and Bradley—

CS for SB 92—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

By the Committee on Transportation; and Senator Joyner—

CS for SB 94—A bill to be entitled An act relating to disabled parking permits; amending s. 320.0848, F.S.; removing a provision that requires an applicant to provide a certificate of disability for renewal; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Detert and Abruzzo—

CS for SB 100—A bill to be entitled An act relating to employment practices; prohibiting an employer from using a job applicant’s credit report or credit history to make certain hiring, compensation, or other employment decisions; providing specific situations where an employer may use such information; providing definitions; providing exemptions for certain types of employers; providing remedies for aggrieved persons; providing for court costs; providing for a plaintiff to post a bond to indemnify the defendant for damages, including attorney fees, in certain situations; providing an effective date.

By the Committee on Criminal Justice; and Senators Benacquisto, Evers, and Hukill—

CS for SB 118—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

By the Committee on Regulated Industries; and Senator Latvala—

CS for SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the con-

ditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

By the Committee on Health Policy; and Senators Ring, Clemens, and Soto—

CS for SB 124—A bill to be entitled An act relating to newborn screening for critical congenital heart disease; amending s. 383.14, F.S.; requiring the Department of Health to adopt and enforce rules that require ambulatory surgical centers, hospitals, and birth centers in this state to conduct screening for critical congenital heart defects in all newborns by using certain technologies; providing an effective date.

By the Committee on Education; and Senator Ring—

CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing an effective date.

By the Committee on Appropriations; and Senators Brandes, Dean, and Benacquisto—

CS for SB 138—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing an appropriation; providing an effective date.

By the Committee on Transportation; and Senator Braynon—

CS for SB 140—A bill to be entitled An act relating to rental car sales and use tax surcharges; amending s. 212.0606, F.S.; defining the term “car-sharing service;” exempting the provision of vehicles by such services from the rental car surcharge; providing an effective date.

By the Committee on Health Policy; and Senators Richter, Dean, and Benacquisto—

CS for SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; amending s. 456.013, F.S.; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waivers; limiting the time period a veteran can apply to 24 months after discharge; requiring applying veterans to be honorably discharged; amending s. 468.304, F.S.; requiring that the department waive the initial application fee for veterans who apply for a radiological personnel certification; requiring the department to prescribe the form of the fee waiver; limiting the time period a veteran can apply to 24 months after honorable discharge; excluding a specific fee from the waiver; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Detert—

CS for SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; specifying that the standard for reunification from “endangerment” to “the

best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer’s system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer’s age; revising requirements for cover pages of annuity contracts; providing an effective date.

By the Committee on Appropriations; and Senator Hays—

CS for SB 214—A bill to be entitled An act relating to trust funds; terminating the Florida Forever Program Trust Fund within the Department of Environmental Protection; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust fund; prescribing procedures for the termination of the trust fund; repealing s. 380.5115, F.S., relating to the Florida Forever Program Trust Fund within the Department of Environmental Protection; amending s. 259.101, F.S.; revising the designation of revenues from the disposal of lands in the Preservation 2000 program; providing an effective date.

By the Committee on Regulated Industries; and Senators Bradley, Dean, Hays, and Negron—

CS for SB 258—A bill to be entitled An act relating to the Florida Clean Indoor Air Act; amending s. 386.209, F.S.; authorizing municipalities and counties to restrict smoking on certain properties; providing limitations on such restrictions; authorizing a law enforcement officer to issue a citation under certain circumstances; providing a definition; providing an effective date.

By the Committee on Community Affairs; and Senator Hays—

CS for SB 264—A bill to be entitled An act relating to firesafety devices; amending s. 633.025, F.S.; requiring certain battery-operated smoke alarms to meet specified standards; providing for applicability; conforming cross-references; providing an effective date.

By the Committee on Health Policy; and Senator Richter—

CS for SB 278—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; requiring a licensed practitioner who is not a certified optometrist to display a specifically worded sign; revising definitions; defining the term “ocular pharmaceutical agent”; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a course and examination on general and ocular pharmaceutical agents before administering or prescribing oral ocular pharmaceutical agents; specifying the number of required course hours based on the date of licensure; requiring the Florida Medical Association and the Florida Optometric Association to jointly develop and adminis-

ter the course and examination; revising provisions relating to the development of a formulary of pharmaceutical agents; amending s. 463.0057, F.S.; prohibiting the holder of an optometric faculty certificate from administering or prescribing pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under ch. 463, F.S.; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing pharmaceutical agents listed in Schedule I or Schedule II of the Florida Comprehensive Drug Abuse Prevention and Control Act; authorizing certain certified optometrists to administer certain oral analgesics; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Richter, Flores, Bean, and Brandes—

CS for SB 292—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; making technical changes; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for requirements and expiration of the demand letter; providing exceptions for liability for payment of attorney fees; providing for the tolling of applicable time limitations for initiating actions; providing an additional opportunity for claimants to comply with specified provisions; providing that attorney fees and other costs incurred by a claimant before compliance with certain provisions are not recoverable; providing for applicability; requiring that a specified notice be provided to consumers before provisions may apply; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Dert and Margolis—

CS for SB 316—A bill to be entitled An act relating to taxes; amending s. 202.12, F.S.; reducing the tax rate applied to the sale of communications services; reducing the tax rate applied to retail sales of direct-to-home satellite services; amending s. 202.12001, F.S.; conforming rates to the reduction of the communications services tax; amending s. 203.001, F.S.; conforming rates to the reduction of the communications services tax; amending s. 212.0596, F.S.; revising the term “mail order sale” to specifically include sales of tangible personal property ordered through the Internet; deleting certain provisions that specify dealer activities or other circumstances that subject mail order sales to this state’s power to levy and collect the sales and use tax; providing that certain persons who make mail order sales and who have a nexus with this state are subject to this state’s power to levy and collect the sales and use tax when they engage in certain enumerated activities; specifying that dealers are not required to collect and remit sales and use tax unless certain circumstances exist; creating a rebuttable presumption that a dealer is subject to the state’s power to levy and collect the sales or use tax under specified circumstances; specifying evidentiary proof that may be submitted to rebut the presumption; amending s. 212.06, F.S.; revising the definition of the term “dealer”; amending s. 212.08, F.S.; revising the sales tax exemption from the sales tax for certain business purchases of industrial machinery and equipment and spaceport activities; deleting certain limitations on, and procedural requirements relating to, the exemption; conforming cross-references; requiring that the Department of Revenue develop a tracking system, in consultation with the Revenue Estimating Conference, to determine the amount of sales tax remitted by out-of-state dealers who would otherwise not be required to collect and remit sales taxes but for the amendments made by the act; requiring that the department submit a report to the Governor and Legislature by a specified date each year; requiring that the Revenue Estimating Conference use such report to determine the amount of sales taxes remitted in the previous calendar year by such out-of-state dealers

and estimate the amount that may be expected in the following fiscal year; requiring that the Legislature use the information to reduce tax rates for other taxes as deemed appropriate; providing effective dates.

By the Committee on Judiciary; and Senator Brandes—

CS for SB 322—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

By the Committee on Regulated Industries; and Senator Latvala—

CS for SB 328—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; providing an effective date.

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

CS for SB 336—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; clarifying that the proceeds of the tax may be used for the benefit of certain museums or aquariums; clarifying that the tax automatically expires upon the retirement of all bonds issued by the county for financing certain facilities; providing an effective date.

By the Committees on Community Affairs; and Commerce and Tourism; and Senator Latvala—

CS for CS for SB 336—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; clarifying that the proceeds of the tax may be used for the benefit of certain museums or aquariums; clarifying that the tax automatically expires upon the retirement of all bonds issued by the county for financing certain facilities; providing an effective date.

By the Committee on Community Affairs; and Senator Hays—

CS for SB 364—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

By the Committee on Regulated Industries; and Senator Latvala—

CS for SB 372—A bill to be entitled An act relating to vehicle permits; amending ss. 561.57 and 562.07, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business to the vendor's licensed premises in a vehicle owned or leased by a person identified on a license application filed by the vendor and approved by the division; requiring each operator to sign the application; revising permit requirements for such vehicles, including a specified fee per vehicle; providing for the cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Dean—

CS for SB 390—A bill to be entitled An act relating to veterans' organizations; defining terms; prohibiting a business entity from holding

itself out as a veterans' organization under certain circumstances; authorizing an affected veterans' organization to bring a civil action in a court of competent jurisdiction against the offending business entity; authorizing the court to impose a civil penalty of up to \$500 and payment of court costs and reasonable attorney fees; providing for criminal penalties; providing an effective date.

By the Committees on Criminal Justice; and Military Affairs, Space, and Domestic Security; and Senator Dean—

CS for CS for SB 390—A bill to be entitled An act relating to misrepresentations concerning solicitations for military or veterans; defining terms; prohibiting a business entity from holding itself out as a veterans' organization under certain circumstances; authorizing an affected veterans' organization to bring a civil action in a court of competent jurisdiction against the offending business entity; authorizing the court to impose a civil penalty of up to \$500 and payment of court costs and reasonable attorney fees; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 398—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician's patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

By the Committee on Regulated Industries; and Senator Altman—

CS for SB 436—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 514.0115, F.S.; revising specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for non-applicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium

units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

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

CS for SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.021, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 175, F.S., in order to receive insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and adding new definitions; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising existing payment provisions and providing an additional mandatory payment by the municipality or special fire control district to the firefighters' pension trust fund; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising how income from the premium tax must be used; requiring plan sponsors to have a defined contribution plan in place by a certain date; amending s. 185.01, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 185, F.S., in order to receive insurance premium tax

revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and adding new definitions; deleting a provision allowing a local law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality to the police officers' retirement trust fund; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising how income from the premium tax must be used; requiring plan sponsors to have a defined contribution plan in place by a certain date; providing a declaration of important state interest; providing an effective date.

By the Committee on Judiciary; and Senator Hukill—

CS for SB 492—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveat to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator's date of death or the last four digits of the testator's social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

By the Committee on Judiciary; and Senator Thrasher—

CS for SB 530—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the "Florida Arbitration Code" to the "Revised Florida Arbitration Code"; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration

hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term “court” and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the re-

vised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 731.401, F.S.; providing for application of the act to an arbitration provision in a will or trust; amending ss. 440.1926 and 489.1402, F.S.; conforming cross-references; providing an effective date.

By the Committee on Transportation; and Senators Simpson, Bean, Bradley, Stargel, Latvala, Grimsley, Evers, Soto, Ring, Gibson, Hays, Lee, Altman, and Thompson—

CS for SB 560—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; terminating the Local Alternative Fuel User Fee Clearing Trust Fund within the Department of Revenue; prescribing procedures for the termination of the trust fund; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Agriculture; and Senator Montford—

CS for SB 654—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; providing that an owner of containers used for the storage or transport of agricultural or other commercial products may adopt for his or her exclusive use a particular mark or brand to designate and distinguish ownership of the containers; making technical and grammatical changes; creating s. 506.265, F.S.; providing definitions; requiring that a person who purchases five or more plastic bulk merchandise containers from one seller obtain proof of ownership, verify the seller’s identity, pay noncash, and record and maintain other information for a specified period of time; providing that prosecuting attorneys may inspect the records at any time upon reasonable notice; providing an exception for licensed waste haulers; creating s. 506.266, F.S.; providing criminal and civil penalties; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 676—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Rules; and Senator Thrasher—

CS for SB 690—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45, 20.15, 20.28, 39.001, 39.0139, 39.201, 40.011, 61.1825, 63.082, 63.2325, 97.0585, 112.63, 120.54, 120.745, 121.055, 121.085, 121.091, 159.823, 163.3246, 163.340, 189.4042, 190.046, 211.02, 215.5601, 215.97, 218.32, 252.385, 252.939, 252.940, 252.941, 252.942, 253.034, 255.2575, 259.032, 282.201, 288.1254, 288.71025, 288.980, 295.07, 311.101, 316.0083, 316.640, 320.20, 322.142, 322.2615, 339.135, 339.2825, 341.840, 343.805, 343.91, 344.17, 348.752, 349.02, 373.227, 373.250, 373.536, 376.3071, 379.2433, 379.3581, 380.0662, 381.004, 381.00593, 381.0065, 381.0101, 391.026, 400.172, 400.915, 400.9905, 403.086, 403.511, 403.9416, 414.295, 420.503, 420.5087, 430.205, 430.80, 430.81, 443.091, 443.111, 443.171, 466.007, 475.6235, 489.118, 499.01, 500.09, 538.23, 553.98, 570.451, 580.036, 586.10, 601.03, 601.15, 601.61, 601.9910, 610.109, 624.402, 626.2815, 626.8734, 626.9362, 626.989, 626.9895, 627.3511, 641.312, 651.118, 817.234, 877.101, 921.0022, 945.355, 948.08, 948.16, 960.003, 985.03, 1003.43, 1003.52, 1006.062, 1006.20, 1006.282, 1009.67, 1009.971, and 1013.231, F.S.; reenacting and amending s. 339.0805, F.S.; reenacting s. 322.21, F.S.; and repealing ss. 202.38 and 252.945, F.S., deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

By the Committee on Agriculture; and Senators Thompson and Bulard—

CS for SB 778—A bill to be entitled An act relating to transactions in fresh produce markets; providing definitions; authorizing certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; providing an effective date.

By the Committee on Criminal Justice; and Senators Brandes, Negron, and Soto—

CS for SB 846—A bill to be entitled An act relating to search and seizure of a portable electronic device; providing legislative findings and intent; defining the term “portable electronic device”; providing that information contained in a portable electronic device is not subject to a search by a law enforcement officer incident to an arrest except pursuant to a warrant issued by a duly authorized judicial officer using procedures established by law; providing exceptions; providing a remedy; prohibiting location informational tracking; providing legislative findings and intent; defining terms; prohibiting a government entity from obtaining the location information of an electronic device without a valid court order issued by a duly authorized judicial officer; providing that a court order may not be issued for the location of an electronic device for a period of time longer than is necessary to achieve the objective of the court order authorization; providing time periods for the validity of a court order; providing criteria by which to extend a court order for location information; providing exceptions to the requirement to obtain a court order for location information; providing a remedy; providing an effective date.

By the Committee on Agriculture; and Senator Brandes—

CS for SB 902—A bill to be entitled An act relating to the sale of liquid fuels; amending s. 526.141, F.S.; requiring self-service stations to display on each pump a decal containing a telephone number to enable certain handicapped persons to seek assistance from the station attendant; requiring the Department of Agriculture and Consumer Services to provide decals and instructions; providing for enforcement by the department; providing for the adoption of rules; establishing a deadline for compliance; providing an effective date.

**REFERENCE CHANGES
PURSUANT TO RULE 4.7(2)**

By the Committee on Criminal Justice; and Senators Negron, Brandes, Evers, and Bradley—

CS for SB 92—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Detert—

CS for SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; specifying that the standard for reunification from “endangerment” to “the best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Agriculture; and Senator Montford—

CS for SB 654—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; providing that an owner of containers used for the storage or transport of agricultural or other commercial products may adopt for his or her exclusive use a particular mark or brand to designate and distinguish ownership of the containers; making technical and grammatical changes; creating s. 506.265, F.S.; providing definitions; requiring that a person who purchases five or more plastic bulk merchandise containers from one seller obtain proof of ownership, verify the seller’s identity, pay noncash, and record and maintain other information for a specified period of time; providing that prosecuting attorneys may inspect the records at any time upon reasonable notice; providing an exception for licensed waste haulers; creating s. 506.266, F.S.; providing criminal and civil penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; and Appropriations.

REPORTS OF COMMITTEES

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 5, 2013: CS for SB 2 and CS for SB 4.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Education recommends the following pass: SB 138; SB 352

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 338

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

The Committee on Commerce and Tourism recommends the following pass: SB 122; CS for SB 140; SB 306; SB 358

The Committee on Community Affairs recommends the following pass: SB 98; SB 290; SB 342

The Committee on Transportation recommends the following pass: SB 432

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Commerce and Tourism recommends the following pass: CS for SB 62; SB 222; SB 224; SB 236; SB 406

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

The Committee on Health Policy recommends the following pass: SB 56

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Agriculture recommends the following pass: SB 752

The Committee on Banking and Insurance recommends the following pass: SB 558

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 326

The bill was referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Agriculture recommends the following pass: SB 522

The Committee on Commerce and Tourism recommends the following pass: SB 98

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 290

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 364

The Committee on Health Policy recommends the following pass: SB 520

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

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 338

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 118

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

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 138; SB 260

The bills were referred to the Committee on Education under the original reference.

The Committee on Agriculture recommends the following pass: SB 298

The Committee on Commerce and Tourism recommends the following pass: SB 90

The Committee on Community Affairs recommends the following pass: SB 482

The Committee on Criminal Justice recommends the following pass: SB 376 with 1 amendment

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 244

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 160

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

The Committee on Commerce and Tourism recommends the following pass: SB 186; SB 558

The Committee on Community Affairs recommends the following pass: CS for SB 92

The Committee on Criminal Justice recommends the following pass: SB 288; SB 294; SB 420

The Committee on Regulated Industries recommends the following pass: SB 286

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

The Committee on Community Affairs recommends the following pass: SB 354

The Committee on Regulated Industries recommends the following pass: SB 118

The bills contained in the foregoing reports were referred to the Committee on Military Affairs, Space, and Domestic Security under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 50

The Committee on Community Affairs recommends the following pass: SB 2 with 2 amendments

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 402

The Committee on Judiciary recommends the following pass: SB 628

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

The Committee on Appropriations recommends the following pass: SB 200; SB 202; SB 204; SB 206; SB 208; SB 210; SB 212; SB 216; SB 218; SB 220

The Committee on Rules recommends the following pass: CS for SB 4; SB 686; SB 688; SB 692; SB 694

The bills were placed on the Calendar.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 50

The Committee on Regulated Industries recommends a committee substitute for the following: SB 328

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 316

The Committee on Transportation recommends a committee substitute for the following: SB 560

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 902

The Committee on Community Affairs recommends a committee substitute for the following: SB 364

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

The Committee on Health Policy recommends committee substitutes for the following: SB 160; SB 278

The bills with committee substitute attached were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 94

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Health Policy recommends committee substitutes for the following: SB 124; SB 398

The Committee on Judiciary recommends a committee substitute for the following: SB 492

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

The Committee on Agriculture recommends a committee substitute for the following: SB 778

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 264

The Committee on Transportation recommends committee substitutes for the following: SB 62; SB 140

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

The Committee on Transportation recommends a committee substitute for the following: SB 52

The bill with committee substitute attached was referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 336

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 458

The Committee on Judiciary recommends a committee substitute for the following: SB 322

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

The Committee on Agriculture recommends a committee substitute for the following: SB 654

The Committee on Education recommends a committee substitute for the following: SB 86

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 390

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 84

The Committee on Education recommends a committee substitute for the following: SB 134

The Committee on Health Policy recommends a committee substitute for the following: SB 60

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 258

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 166

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 164

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 100; SB 292

The Committee on Criminal Justice recommends committee substitutes for the following: SB 92; CS for SB 390; SB 676; SB 846

The Committee on Regulated Industries recommends committee substitutes for the following: SB 120; SB 436

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 4

The Committee on Judiciary recommends a committee substitute for the following: SB 530

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 372

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

The Committee on Appropriations recommends committee substitutes for the following: SB 138; SB 214

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 336

The Committee on Criminal Justice recommends a committee substitute for the following: SB 118

The Committee on Rules recommends committee substitutes for the following: SB 2; SB 690

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 62

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

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: SB 224

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

STANDING COMMITTEE REPORTS

The Honorable Don Gaetz February 20, 2013
President of the Senate

Dear President Gaetz:

The Committee on Rules met on February 19, 2013, and after due consideration respectfully recommends a revision to Rule 2.1(1)(p) as follows:

(p) Military and Veterans Affairs, Space, and Domestic Security

The change and vote sheet are attached hereto and by reference made a part of this report.

Respectfully submitted,
John Thrasher, Chair

JOINT SELECT COMMITTEE REPORTS

The Honorable Don Gaetz
President of the Senate

February 27, 2013

The Honorable Will Weatherford
Speaker of the House of Representatives

Dear President Gaetz and Speaker Weatherford:

The Joint Select Committee on Collective Bargaining convened February 18, 2013, Room 17 House Office Building (Morris Hall), for the purpose of providing a public opportunity for all parties involved in unresolved collective bargaining disputes to present arguments to the Florida Legislature, consistent with the provisions of section 447.403, Florida Statutes, and the open meeting provisions of Article III, section 4 of the State Constitution.

Upon conclusion of the presentations, we thanked the participating parties and announced that the Joint Select Committee on Collective Bargaining would take the disputed issues under advisement. Copies of the presentations and other pertinent materials have been retained by staff and, for purposes of future public inquiry, are available through the Senate Governmental Oversight and Accountability Committee and the House Governmental Operations Subcommittee.

Respectfully submitted,
Senator Alan Hays
Co-Chair

Representative Garrett Van Zant
Co-Chair

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce and Tourism recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Board of Directors, Enterprise Florida, Inc.

Appointees: Dempsey, Hayden R.	09/30/2015
Keiser, Belinda	09/30/2015
Kise, Christopher M.	09/30/2015
Rodriguez, Henry	09/30/2014

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Criminal Conflict and Civil Regional Counsel - First District Court of Appeal

Appointee: Lewis, Jeffrey E. 07/01/2015

Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal

Appointee: Neymotin, Ita M., Esquire 07/01/2015

Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal

Appointee: Zenobi, Eugene F., Esquire 07/01/2015

Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal

Appointee: Deen, Jeffrey D., Esquire 07/01/2015

Office and Appointment

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor and Cabinet:

Office and Appointment

Parole Commission

Appointees: Cohen, Bernard R., Sr. 06/30/2014
 Coonrod, Melinda N. 06/30/2018

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

Office and Appointment

Board of Trustees, Florida International University

Appointee: Barlick, Robert T., Jr. 01/06/2015

Board of Trustees, University of Florida

Appointee: Cameron, Susan M. 01/06/2016

Board of Trustees, University of West Florida

Appointee: Cleveland, David E. 01/06/2016

The Committee on Education recommends that the Senate confirm the following appointment made by the Governing Board:

Office and Appointment

Board of Trustees, University of West Florida

Appointee: Dana, Pamela J. 01/06/2016

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

Office and Appointment

State Board of Education

Appointees: Chartrand, Gary 12/31/2014
 Feingold, Barbara S. 12/31/2013

Board of Governors of the State University System

Appointees: Carter, Matthew M. II 01/06/2019
 Kuntz, Thomas G. 01/06/2019

Board of Trustees, Florida Atlantic University

Appointee: Teske, Julius J. 01/06/2016

Board of Trustees, Florida State University

Appointee: Bense, Allan G. 01/06/2016

Board of Trustees, Florida Gulf Coast University

Appointees: Little, John R. 01/06/2015
 Priddy, Russell A. 01/06/2016

Office and Appointment

Board of Trustees, New College of Florida

Appointees: Baker, Bradford Dennis 01/06/2016
 Keating, Elaine M. 01/06/2016

Board of Trustees, University of North Florida

Appointees: Lovett, William Radford II 01/06/2016
 Pappas, M. Lynn 01/06/2015

Board of Trustees, University of South Florida

Appointee: Mitchell, Stephen J., Esquire 01/06/2016

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Environmental Regulation Commission

Appointees: Bauer, Michael R. 07/01/2013
 Joyce, Joseph C. 07/01/2015

Governing Board of the South Florida Water Management District

Appointee: Waldman, Glenn J. 03/01/2014

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Orders were filed with the Secretary:

EXECUTIVE ORDER NUMBER 12-30
 (Executive Order of Suspension)

WHEREAS, Malcom Thompson is currently serving as the Osceola County Clerk of Court; and

WHEREAS, on January 27, 2012, The State Attorney for the Ninth Judicial Circuit filed an information charging Malcom Thompson with one count of battery, a violation of section 784.03, Florida Statutes, and one count of assault, a violation of section 784.011, Florida Statutes; and

WHEREAS, the battery count of the information alleges that Malcom Thompson battered an employee of the Osceola County Clerk of Court's office, and the accompanying sworn investigative summary prepared by the Florida Department of Law Enforcement indicates that the battery occurred during the course of a business day at the office of the Clerk of Court; and

WHEREAS, the assault count of the information alleges that Malcom Thompson assaulted an employee of the Osceola County Clerk of Court's office, and the investigative summary indicates that the assault occurred during the course of a business day at the office of the Clerk of Court; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for malfeasance; and

WHEREAS, the acts set forth in the information and investigative summary constitute malfeasance under Article IV, Section 7, Florida Constitution; and

WHEREAS, it is in the best interest of the residents of Osceola County, and the citizens of the State of Florida, that Malcom Thompson

be immediately suspended from the public office he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

- A. Malcom Thompson is the Clerk of Court of Osceola County.
- B. The office of Clerk of Court of Osceola County is within the purview of the suspension power of the Governor, pursuant to Article IV, Section 7, Florida Constitution.
- C. The attached information and investigative summary alleges that Malcom Thompson committed offenses in violation of the laws of the State of Florida, which acts constitute malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Malcom Thompson is suspended from the public office that he now holds, to wit: Clerk of Court of Osceola County.

Section 2. Malcom Thompson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 30th day of January, 2012.

Rick Scott
GOVERNOR

ATTEST:

Kurt S. Browning
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE ORDER NUMBER 12-114
(Executive Order of Reinstatement)

WHEREAS, by Executive Order Number 12-130, Malcom Thompson was suspended from his position as Osceola County Clerk of Court; and

WHEREAS, the suspension ordered by Executive Order Number 12-130 was predicated on malfeasance, in particular criminal charges alleging one count of battery in violation of section 784.03, Florida Statutes, and one count of assault, a violation of section 784.011, Florida Statutes; and

WHEREAS, on April 25, 2012, a jury acquitted Malcom Thompson of the charge of battery, and on April 27, 2012, the court acquitted Malcom Thompson of the charge of assault.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, issue this Executive Order, effective immediately:

1. Malcom Thompson is hereby reinstated to the public office that he held at the time of the above mentioned suspension, to-wit: Osceola County Clerk of Court.
2. Executive Order 12-30 is hereby revoked and the suspension of Malcom Thompson is terminated.



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the State of Florida to be affixed at Tallahassee this 18th day of May, 2012.

Rick Scott
GOVERNOR

ATTEST:

Kenneth W. Detzner
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE ORDER NUMBER 12-180
(Executive Order of Suspension)

WHEREAS, Alfred Junior Martin is currently serving as the Vice Chair of the Madison County Board of County Commissioners and Commissioner for District 4; and

WHEREAS, on August 8, 2012, Alfred Junior Martin was arrested on two counts of official misconduct, in violation of section 838.022, Florida Statutes, and two counts of grand theft, in violation of section 812.014(2)(c), Florida Statutes; and

WHEREAS, violations of sections 838.022 and 812.014(2)(c), Florida Statutes, constitute third-degree felonies; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for commission of a felony; and

WHEREAS, it is in the best interests of the residents of Madison County, and the citizens of the State of Florida, that Alfred Junior Martin be immediately suspended from the public office he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

A. Alfred Junior Martin is, and was at all relevant times, currently serving as the Vice Chair of the Madison County Board of County Commissioners and Commissioner for District 4.

B. The office of Commissioner of the Madison County Board of County Commissioners is within the purview of the suspension power of the Governor, pursuant to Article IV, section 7, Florida Constitution.

C. The attached arrest warrant and affidavit, alleges that Alfred Junior Martin committed a felony in violation of the laws of the State of Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Alfred Junior Martin is suspended from the public office that he now holds, to wit: Commissioner of the Madison County Board of County Commissioners.

Section 2. Alfred Junior Martin is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 9th day of August, 2012.

Rick Scott
GOVERNOR

ATTEST:

Kenneth W. Detzner
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE ORDER NUMBER 12-214
(Executive Order of Suspension)

WHEREAS, James Campbell is currently serving as the Commissioner for District 5 of the Okaloosa County Board of County Commissioners, and

WHEREAS, on September 17, 2012, James Campbell was arrested on four counts of official misconduct, in violation of section 838.022(1)(a), Florida Statutes, and four counts of perjury, in violation of section 837.012, Florida Statutes; and

WHEREAS, violations of section 838.022(1)(a), Florida Statutes, constitute third-degree felonies; and

WHEREAS, violations of section 837.012, Florida Statutes, constitute malfeasance; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for commission of a felony or for malfeasance; and

WHEREAS, it is in the best interest of the residents of Okaloosa County; and the citizens of the State of Florida, that James Campbell be immediately suspended from the public office he now holds, upon the grounds set forth in this executive order.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to the Article IV, Section 7, Florida Constitution, Florida Statutes, find as follows:

A. James Campbell is, and was at all relevant times, currently serving as the Commissioner for District 5 of the Okaloosa County Board of County Commissioners.

B. The office of Commissioner of the Okaloosa County Board of County Commissioners is within the purview of the suspension power of the Governor, pursuant to Article IV, section 7, Florida Constitution.

C. The attached arrest warrant and affidavit alleges that James Campbell committed felonies, and misdemeanors constituting malfeasance, in violation of the laws of the State of Florida.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. James Campbell is suspended from the public office that he now holds, to wit: Commissioner of the Okaloosa County Board of County Commissioners.

Section 2. James Campbell is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 17th day of September, 2012.

Rick Scott
GOVERNOR

ATTEST:
Kenneth W. Detzner
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Accountancy		
Appointees:	Borders-Byrd, Cynthia, Lauderhill	10/31/2015
	Caldwell, Maria E., Miami	10/31/2015
	Dennis, David L., Longwood	10/31/2014
	Fennema, Martin G., Tallahassee	10/31/2014
	Vogel, Harold S., Esquire, Key Biscayne	10/31/2014
Board of Acupuncture		
Appointees:	Teisinger, Mary Katherine, Lake Alfred	10/31/2012
	Vega, Herman E., Miami Lakes	10/31/2014
Jacksonville Aviation Authority		
Appointees:	Davlanges, Teresa H., Jacksonville	09/30/2015
	Mackesy, Francis "Frank" J., Confidential pursuant to s. 119.071(4), F.S.	09/30/2015
Board of Architecture and Interior Design		
Appointees:	Costoya, Francisco, Jr., Confidential pursuant to s. 119.071(4), F.S.	10/31/2014
	Ehrig, John P., Orlando	10/31/2015
	Emo, Warren A., Tallahassee	10/31/2013
	Fishburne, Kenan Ann, Quincy	10/31/2014
	Rodriguez, Miguel A., Coral Gables	10/31/2015
	Toppe, Jonathan R., St. Petersburg	10/31/2013
Florida Board of Auctioneers		
Appointees:	Dietrich, Hugh Fred III, Orlando	10/31/2014
	Shearer, Donald L., Confidential pursuant to s. 119.071(4), F.S.	10/31/2013
Greater Orlando Aviation Authority		
Appointees:	Asher, Steven Dean, Orlando	04/16/2016
	Palmer, James "Jim" R., Longwood	04/16/2016
	Sanchez, Domingo, Kissimmee	04/16/2016
Barbers' Board		
Appointees:	Gilbert, William B., Tallahassee	10/31/2014
	Raines, Andrew J., Pensacola	10/31/2013
	Vaughn, Thomas "Tommy" E., Panama City Beach	10/31/2014
Florida State Boxing Commission		
Appointees:	DeSisto, Antonius "Tony" M., Tampa	09/30/2015
	Kearney, Wayne W., Indian Harbour Beach	09/30/2015
	Lopez, Marco A., Miami	09/30/2012
	Williams, Mark M., Lynn Haven	09/30/2014
Florida Building Code Administrators and Inspectors Board		
Appointees:	Bolduc, Timothy J., Ft. Walton Beach	10/31/2015
	Carpenter, Dennis J., Tallahassee	10/31/2013
	Dudley, Fred R., Havana	10/31/2012
	Francis, Wayne A., Brandon	10/31/2012
	Gathright, Richard, Lake Worth	10/31/2014
	Holmes, Rex E., Confidential pursuant to s. 119.071(4), F.S.	10/31/2015
	McCormick, Robert S., Sanford	10/31/2013
Florida Building Commission		
Appointees:	Boyer, Robert G., Palm City	07/26/2015
	Browdy, Richard S., Jacksonville	10/13/2015
	Calleja, Oscar L., Palmetto Bay	02/03/2015
	Dean, Nanette, Ft. Myers	04/05/2013
	Flanagan, Kevin M., Ft. Lauderdale	01/30/2015
	Frank, Charles L., Crawfordville	03/11/2013
	Gross, Jeffery, Hollywood	11/21/2015
	Schiffer, Brad, Naples	08/11/2015
	Schock, James R., St. Augustine	01/12/2015
	Stone, Jeffrey B., St. Petersburg Beach	07/27/2015

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Swope, Brian, Wesley Chapel	05/01/2015	Board of Trustees of Daytona State College	
Capital Collateral Regional Counsel - Middle Region		Appointees: Davis, Robert C., Port Orange	05/31/2013
Appointee: Jennings, John "Bill" W., Confidential pursuant to s. 119.071(4), F.S.	09/30/2012	Freckleton, Lloyd J., Flagler Beach	05/31/2015
Capital Collateral Regional Counsel - Southern Region		Holness, Betty Jean, Ormond Beach	05/31/2015
Appointee: Dupree, Neal A., Davie	09/30/2012	Hosseini, Forough B., Ormond Beach	05/31/2015
Board of Chiropractic Medicine		Lewis, Dwight D., DeLand	05/31/2015
Appointees: Fogarty, Kevin G., Merritt Island	10/31/2014	Tanner, John W., Esquire, Confidential pursuant to s. 119.071(4), F.S.	05/31/2014
Shreeve, Michael West, Port Orange	10/31/2014	Board of Trustees of Edison State College	
Florida Citrus Commission		Appointees: Chapman, Brian G., Jr., Cape Coral	05/31/2014
Appointees: Clark, J. A. III, Wauchula	06/30/2013	Rhone, Braxton C., Ft. Myers	05/31/2013
Garavaglia, Michael J., Jr., Vero Beach	06/30/2013	Starnes-Bilotti, Marjorie, Ft. Myers	05/31/2015
Haycock, Michael W., Longboat Key	05/31/2015	Webb, Sankey E. III, Punta Gorda	05/31/2014
Haycock, Michael W., Longboat Key	06/30/2012	Board of Trustees of Florida State College at Jacksonville	
Hollingsworth, Vernon C. III, Arcadia	05/31/2015	Appointees: Bowling, Karen, Jacksonville Beach	05/31/2014
Hollingsworth, Vernon C. III, Arcadia	06/30/2012	Bryan, Thomas A., Jacksonville	05/31/2015
Horrisberger, James S., Lakeland	05/31/2015	Burnett, Douglas, St. Augustine	05/31/2014
Horrisberger, James S., Lakeland	06/30/2012	Delaney, Kevin F., Jacksonville	05/31/2015
Hunt, G. Ellis, Jr., Babson Park	06/30/2014	Holloway, Candace T., Bryceville	05/31/2014
McKenna, Martin J., Sebring	06/30/2014	McCollum, James E., Fernandina Beach	05/31/2015
Pena, Virginia S., Clewiston	06/30/2014	McGehee, Thomas R., Jr., Jacksonville	05/31/2015
Taylor, Michael O., Naples	06/30/2013	Shoemaker-Crump, Randle P., Jacksonville	05/31/2014
Hillsborough County Civil Service Board		Board of Trustees of Florida Keys Community College	
Appointees: Canasi, Simon M., Tampa	07/02/2015	Appointees: Scales, Edwin A. III, Key West	05/31/2014
Perotti, Albert, Jr., Confidential pursuant to s. 119.071(4), F.S.	07/02/2015	Schmitt, Brian C., Marathon	05/31/2015
Strepina, Scott D., Tampa	07/02/2013	Stoky, Robert C., Key Largo	05/31/2014
Trichler, Ernie E. II, Tampa	07/02/2015	Board of Trustees of Gulf Coast State College	
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		Appointees: Dunn, Leah Ott, Panama City	05/31/2015
Appointee: Gillespy, Susan J., Jacksonville	10/31/2012	McKnight, James W., Wewahatchka	05/31/2015
Florida Commission on Community Service		Roberson, Ralph C., Port St. Joe	05/31/2014
Appointees: Aloupis, Vance A., Aventura	09/14/2014	Tannehill, Joe K., Jr., Panama City	05/31/2014
Barber, Chucha S., Tallahassee	09/14/2012	Board of Trustees of Hillsborough Community College	
Croteau, James M., Tallahassee	09/14/2015	Appointees: Buchman, MarDee H., Plant City	05/31/2015
Graham, Carol, Port St. Lucie	09/14/2013	Burt, James T. II, Tampa	05/31/2014
Karlinsky, Autumn, Weston	09/14/2012	Pittman, Andrew V., Tampa	05/31/2014
Landman Gonzalez, Linda, Orlando	09/14/2014	Board of Trustees of Indian River State College	
Mullican, R. Wayne, Naples	09/14/2014	Appointees: Caron, Susan, Ft. Pierce	05/31/2015
Nappo, Frank L., Naples	09/14/2012	Conrado, Jose L., Vero Beach	05/31/2015
Quiggle, Justin, Ponte Vedra Beach	09/14/2013	Feurer, Mark A., Confidential pursuant to s. 119.071(4), F.S.	05/31/2014
Roden, Gerald T., Ft. Pierce	09/14/2014	Luna, Christa C., Okeechobee	05/31/2014
Rovira-Forino, Maritza, Tampa	09/14/2014	Raulerson, Phoebe H., Okeechobee	05/31/2014
Seevers, Sarah E., Destin	09/14/2014	Schirard, J. Brantley, Jr., Ft. Pierce	05/31/2014
Wheelock, Sherry, Windermere	09/14/2014	Board of Trustees of Lake-Sumter Community College	
Board of Trustees of Brevard Community College		Appointees: Blankenship, R. Scott, Clermont	05/31/2014
Appointees: Charpentier, Stephen G., Merritt Island	05/31/2015	Bowersox, Richard P., Fruitland Park	05/31/2015
Haley, Myra K., Indian Harbour Beach	05/31/2014	Flores, Kelly L., Oxford	05/31/2015
Harris, Dewey L., Merritt Island	05/31/2014	Lee, Emily A., Eustis	05/31/2014
Harvin, Moses L., Sr., Melbourne	05/31/2015	Rice, Kelly S., Webster	05/31/2014
Board of Trustees of Broward College		Board of Trustees of State College of Florida, Manatee-Sarasota	
Appointees: Benz, John A., Ft. Lauderdale	05/31/2014	Appointees: Bailey, Edward, Palmetto	05/31/2013
Guerin, Sean C., Ft. Lauderdale	05/31/2015	Beruff, Carlos, Parrish	05/31/2016
Stephany, Pamela, Ft. Lauderdale	05/31/2015	Moore, Ann, Sarasota	05/31/2014
Tonkin, Elizabeth A., Davie	05/31/2014	Moran, Lori A., Sarasota	05/31/2015
Board of Trustees of College of Central Florida		Neal, Charlene Jo, Bradenton	05/31/2015
Appointees: Brancato, Joyce, Inglis	05/31/2014	Robinson, Eric W., Venice	05/31/2016
Ghumman, Priya, Ocala	05/31/2015	Trigueiro, Craig A., Lakewood Ranch	05/31/2014
Pool, Cory, Ocala	05/31/2014	Board of Trustees of Miami-Dade College	
Taylor, Donald L., Homosassa	05/31/2015	Appointees: Cancio-Johnson, Mariana "Marili", Esquire, Doral	05/31/2015

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Fuentes, Jose K., Coconut Grove	05/31/2014	Kane, Richard, Melbourne	10/31/2014
Olivera, Armando J., Coral Gables	05/31/2015	Korelishn, Albert C., Pompano Beach	10/31/2013
Board of Trustees of Palm Beach State College		Moody, Robert W., Jr., Valrico	10/31/2015
Appointees: Berger, William, Boca Raton	05/31/2015	Watts, Jacqueline A., Tallahassee	10/31/2012
Dowd, John W. III, West Palm Beach	05/31/2014	Secretary of Corrections	
Link, Wendy S., Palm Beach Gardens	05/31/2015	Appointee: Tucker, Kenneth S., Confidential pursuant to s. 119.071(4), F.S.	Pleasure of Governor
Board of Trustees of Pasco-Hernando Community College		Board of Cosmetology	
Appointees: Burke, Kathy A., Bonita Springs	05/31/2015	Appointee: Wilhoite, Suzanne C., Jacksonville	10/31/2014
Johnson, Leonard H., Dade City	05/31/2015	Board of Trustees for the Florida School for the Deaf and the Blind	
Porton, Morris R., Spring Hill	05/31/2013	Appointees: McClure, George M., St. Augustine	02/07/2015
Young, Victor, Land O'Lakes	05/31/2014	Weedon, Gerald W., Jacksonville	11/14/2014
Board of Trustees of Polk State College		Zavelson, Thomas M., Gainesville	11/07/2015
Appointees: Dorrell, Daniel F., Lakeland	05/31/2014	Board of Dentistry	
Littleton, Gregory A., Winter Haven	05/31/2015	Appointees: Cabanzon, Catherine, West Palm Beach	10/31/2012
Rada-Pilkington, Erlinda "Linda", Lake Wales	05/31/2015	Edinger, Debra S., Panama City	10/31/2013
Turner, Mark G., Winter Haven	05/31/2013	Gesek, Daniel J., Jr., Jacksonville	10/31/2015
Board of Trustees of St. Johns River State College		Thomas, Joseph J., Vero Beach	10/31/2014
Appointees: Bramlitt, Denise M., East Palatka	05/31/2014	Winker, Wade G., Leesburg	10/31/2014
Coleman, Cranford R., Jr., Orange Park	05/31/2014	Director, Agency for Persons with Disabilities	
Duren, Joseph M., St. Augustine	05/31/2014	Appointee: Hansen, Michael P., Crawfordville	Pleasure of Governor
Webb, Mary Ellen, East Palatka	05/31/2015	Executive Director, Department of Economic Opportunity	
Board of Trustees of St. Petersburg College		Appointee: Deutsch, Hunting F., Tallahassee	Pleasure of Governor
Appointees: Fine, Robert J., Jr., St. Petersburg	05/31/2014	Education Practices Commission	
Gibbons, Deveron M., St. Petersburg	05/31/2014	Appointees: Basso, Cristina, Miami	09/30/2015
North, Timothy O., Belleair	05/31/2015	Bondurant, Pamela M., Marianna	09/30/2016
Oliver, Jeffrey Dale, St. Petersburg	05/31/2015	Gold, Christie R., Wesley Chapel	09/30/2015
Board of Trustees of Santa Fe College		Lee, David C., Confidential pursuant to s. 119.071(4), F.S.	08/18/2016
Appointees: Hudson, Robert "R.C.", Gainesville	05/31/2015	Presha, Bernard Jerome, Confidential pursuant to s. 119.071(4), F.S.	08/18/2016
Lee, Caridad E., Alachua	05/31/2014	Schneider, Chad David, St. Petersburg	09/30/2014
Mallini, George "G.T." T., Gainesville	05/31/2015	Strauss, Mark S., Wilton Manors	09/30/2015
Oody, Jeffrey L., Starke	05/31/2014	Thompson, David R., Confidential pursuant to s. 119.071(4), F.S.	08/18/2016
Prevatt, Lisa M., Hampton	05/31/2015	Trop-Roberts, Elizabeth, Hollywood	07/31/2016
Woody, Robert Lee, Gainesville	05/31/2014	Florida Elections Commission, Chair	
Board of Trustees of Seminole State College		Appointee: Holladay, Tim H., New Port Richey	01/05/2015
Appointees: Bauer, Jeffrey M., Casselberry	05/31/2014	Florida Elections Commission	
Brandon, Wendy H., Sanford	05/31/2014	Appointees: Faraj-Johnson, Alia, Tallahassee	12/31/2015
Howat, Scott D., Winter Park	05/31/2015	Hall, Sean S., Jacksonville	12/31/2015
Setzer, J. Alex, Lake Mary	05/31/2015	Jean-Bart, Leslie Scott, Jacksonville	12/31/2015
Board of Trustees of South Florida State College		Stern, Barbra A., Esquire, Ft. Lauderdale	12/31/2015
Appointees: Bryan, Derrin J., Bowling Green	05/31/2015	Electrical Contractors' Licensing Board	
Cullens, Tamela "Tami" C., Sebring	05/31/2014	Appointees: Botknecht, David H., Hollywood	10/31/2013
Lambert, Kenneth A., Wauchula	05/31/2014	Chinchor, Timothy Z., Deltona	10/31/2014
Puckorius, Lana C., Avon Park	05/31/2015	Flaherty, Brian, Palm Harbor	10/31/2015
Rider, Kris Y., Lake Placid	05/31/2014	Sandfer, Paul W., Orange Park	10/31/2013
Wright, Patrick Joseph "Joe", Esquire, Avon Park	05/31/2015	Smith, Benjamin E., Jacksonville	10/31/2013
Board of Trustees of Tallahassee Community College		Board of Employee Leasing Companies	
Appointees: Callaway, Donna G., Tallahassee	05/31/2015	Appointees: Arfons, David E., Palmetto	10/31/2014
Lamb, Eugene, Jr., Midway	05/31/2014	Buchanan, Scott, St. Petersburg	10/31/2014
Messersmith, Frank S., Crawfordville	05/31/2014	DiMascio, Suzette, Sanford	10/31/2016
Moore, Karen B., Tallahassee	05/31/2014	Board of Professional Engineers	
Board of Trustees of Valencia College		Appointees: Bracken, William C., Lutz	10/31/2015
Appointees: Cabrera-Morris, M. Bertica, Orlando	05/31/2015	Fiorillo, Anthony Joseph, Orlando	10/31/2014
Hansen, Guillermo "Bill", Kissimmee	05/31/2014	Garcia de Quevedo, Nola A., Miami	10/31/2014
Oliver, Lewis M. III, Orlando	05/31/2014		
Perez, Fernando J., Windermere	05/31/2014		
Construction Industry Licensing Board			
Appointees: Beall, Kristin, Mount Dora	10/31/2012		
Boyette, Aaron L., Tallahassee	10/31/2015		
Cathey, William Brian, Port St. Joe	10/31/2014		
Cobb, Christopher M., Jacksonville	10/31/2013		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Rambo-Roddenberry, Michelle D., Tallahassee	10/31/2013	Kavanagh, Gail, Port St. Lucie Sansom, Jerry H., Rockledge	01/09/2015 01/09/2015
Todd, Kenneth S., Jr., West Palm Beach	10/31/2015	Juvenile Welfare Board of Pinellas County	
Wohlfarth, Richard C., Lake Mary	10/31/2013	Appointees: Aungst, Brian J., Jr., Clearwater	08/07/2014
Commission on Ethics		Neri, Raymond H., St. Petersburg	08/07/2012
Appointees: Carlucci, Matthew F., Sr., Jacksonville	06/30/2014	Rouson, Angela, St. Petersburg	08/11/2014
Ford, Ivan Martin, Confidential pursuant to s. 119.071(4), F.S.	06/30/2013	Sewell, James D., Confidential pursuant to s. 119.071(4), F.S.	08/11/2014
Maurer, Susan Horovitz, Ft. Lauderdale	06/30/2013	Board of Landscape Architecture	
Robison, Linda M., Pompano Beach	06/30/2013	Appointees: Kissinger, Paul D., Ft. Lauderdale	10/31/2014
Weston, Stanley M., Esquire, Jacksonville	06/30/2013	Marshall, Elizabeth Barno, Palm Beach	10/31/2013
Board of Funeral, Cemetery, and Consumer Services		Pape, Michael E., Lady Lake	10/31/2013
Appointees: Anderson, Jean W., Tallahassee	09/30/2015	Powell, Charles David, Panama City	10/31/2014
Clark, Andrew D., Ocala	09/30/2015	Participant Local Government Advisory Council	
Helm, Powell, Bradenton	09/30/2015	Appointee: Scott, Barbara T., Port Charlotte	01/13/2013
Mueller, Richard L., Fleming Island	09/30/2015	Board of Massage Therapy	
Board of Professional Geologists		Appointees: Buckley, Joy, Boynton Beach	10/31/2015
Appointees: Bush, Louie G., Lakeland	10/31/2014	Ford, Karen Goff, Punta Gorda	10/31/2015
Dale, Mervin W., Fort White	10/31/2013	Tuttle, Robert F., Auburndale	10/31/2016
Board of Governors of the State University System		Board of Medicine	
Appointees: Caruncho, Joseph L., Sr., Miami	01/06/2019	Appointees: Averhoff, Magdalena, Coral Gables	10/31/2015
Parker, Ava L., Jacksonville	01/06/2013	El Sanadi, Nabil, M.D., Ft. Lauderdale	10/31/2014
Interim State Surgeon General		Lage, Onelia G., Confidential pursuant to s. 119.071(4), F.S.	10/31/2014
Appointee: Harris, Steven L., Tallahassee	Pleasure of Governor	Shugarman, Richard G., West Palm Beach	10/31/2015
Board of Hearing Aid Specialists		National Conference of Commissioners on Uniform State Laws	
Appointees: Hollern, Thomas M., Tallahassee	10/31/2013	Appointees: Braccialarghe, Randolph, Plantation	06/05/2015
Polhill, Leanne E., Port Orange	10/31/2012	Conti, Louis T. M., St. Petersburg	06/05/2015
Higher Educational Facilities Financing Authority		Weidner, Donald J., Esquire, Tallahassee	06/05/2015
Appointee: Kirtley, William T., Sarasota	01/17/2015	Board of Nursing	
Citrus County Hospital Board		Appointees: Connors, Leonard J., Plant City	10/31/2014
Appointees: Bays, Michael D., Inverness	07/07/2016	Kirkpatrick, Lavigne Ann, Naples	10/31/2014
Davis, Ervin Eugene, Inverness	07/08/2014	Newman, Jody Bryant, Clermont	10/31/2013
Joseph, Krista K., Crystal River	07/11/2013	Board of Nursing Home Administrators	
Priselac, Robert J., Floral City	07/03/2015	Appointee: Myers, Keith A., Palm Beach Gardens	10/31/2014
Board of Trustees of South Lake County Hospital District		Board of Optometry	
Appointees: Ballesteros, Tomas J., Clermont	07/05/2015	Appointees: Kaplan, Stuart I., Ft. Myers	10/31/2016
Binney, Curtis A., Clermont	07/05/2013	King, Christopher, Tallahassee	10/31/2015
Kesselring, Kasey C., Montverde	07/05/2013	McNaughton, Rosa N., Tallahassee	10/31/2013
Rountree, Paul B., Clermont	07/05/2013	Naberhaus, Terrance W., Merritt Island	10/31/2014
Smith, Linda J., Clermont	07/05/2015	Board of Osteopathic Medicine	
Florida Housing Finance Corporation		Appointees: Bellingar, Bridget, Largo	10/31/2015
Appointees: Demetree, Mary L., Winter Park	11/13/2014	Burns, Ronald R., Winter Park	10/31/2014
Munilla, Natacha, Miami	11/13/2014	Jackson, Valerie A., Jupiter	10/31/2016
Smith, Bernard E., Jacksonville	11/13/2014	Rose, Joel B., Tampa	10/31/2014
Florida Commission on Human Relations		Board of Pharmacy	
Appointees: Fajardo-Garcia, Onelia, Miami	09/30/2013	Appointees: Fallon, Leo J., The Villages	10/31/2015
Johns, James C., Jacksonville Beach	09/30/2014	Glass, Debra B., Tallahassee	10/31/2015
Keller, Michael G., Brandon	09/30/2014	Mesaros, Jeffrey J., Ph.D., Tampa	10/31/2014
Long, Michell J., Jacksonville	09/30/2015	Meshad, Gavin W., Sarasota	10/31/2013
Singer, Gilbert M., Tampa	09/30/2014	Mullins, DeAnn M., Lynn Haven	10/31/2013
Valle, Mario, Naples	09/30/2015	Risch, Lorena, Lakewood Ranch	10/31/2014
Commission for Independent Education		Board of Physical Therapy Practice	
Appointees: Crocitto, Peter F., Jr., Palm City	06/30/2013	Appointee: Lohr, Clint E., Cantonment	10/31/2013
Perez, Ernesto, Coral Gables	06/30/2014	Board of Pilot Commissioners	
Williams, Levi G., Jr., Confidential pursuant to s. 119.071(4), F.S.	06/30/2014	Appointees: Bryson, Eric C., Atlantic Beach	10/31/2013
Florida Inland Navigation District		Fernandez, John R., Pinecrest	10/31/2014
Appointees: Bowman, Aaron L., Jacksonville	01/09/2015		
Crowley, T. Spencer, Miami	01/09/2015		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Fox, John P., Miami	10/31/2015	Nunez, Andres E., Jr., St. Petersburg	10/01/2012
Frudaker, Richard N., Panama City	10/31/2012	Schock, Timothy E., Tampa	10/01/2013
Sams, Matthew T., Ft. Lauderdale	10/31/2013	Todd, Barbara Sheen, St. Petersburg	10/01/2013
Smith, Thayer C., Jr., Tampa	10/31/2012	Waller, Charles D., Dade City	10/01/2012
Swindell, Robert C., Ft. Lauderdale	10/31/2014		
Trueba, Carlos M., Miami	10/31/2012	Southwest Florida Regional Planning Council, Region 9	
Ulrich, David T., Ft. Lauderdale	10/31/2015	Appointees: Holquist, Laura A., Ft. Myers	10/01/2013
Board of Podiatric Medicine		Karau, Melvin E., Ft. Denaud	10/01/2012
Appointees: Evans, Chester A., Winter Garden	10/31/2012	Perry, Thomas C., Jr., Moore Haven	10/01/2012
Morris, Robert Parker, Tallahassee	10/31/2013	Reynolds, Alan D., Naples	10/01/2014
Tampa Port Authority		Treasure Coast Regional Planning Council, Region 10	
Appointees: Allman, Patrick H. III, Tampa	02/06/2014	Appointees: Hall, William M., Jupiter	10/01/2012
Brown, William A., Tampa	11/15/2015	Sachs, Peter S., Boca Raton	10/01/2013
Lindell, Carl, Jr., Tampa	11/14/2014	Stork, Robert W., Vero Beach	10/01/2013
Swindal, Stephen W., Tampa	02/06/2016		
Florida Prepaid College Board		South Florida Regional Planning Council, Region 11	
Appointees: O'Drobinak, Liana, Tampa	06/30/2013	Appointees: Asseff, Patricia T., Hollywood	10/01/2013
O'Rourke, John G., West Palm Beach	06/30/2014	Wallace, Paul R., Miami	10/01/2012
Board of Psychology		State Retirement Commission	
Appointees: Aufderheide, Dean H., Tallahassee	10/31/2012	Appointees: Bethel, Harry L., Key West	12/31/2012
Koehnemann, Neda C., Panama City Beach	10/31/2012	Spitzer, Zane F. III, Lynn Haven	12/31/2015
Orta, Luis E., Miami	10/31/2014		
Public Employees Relations Commission		Jacksonville Port Authority	
Appointee: Poole, Donna Maggert, Tallahassee	01/01/2014	Appointees: Falconetti, John, Jacksonville	09/30/2015
Chair, Public Employees Relations Commission		Gaffney, Reginald, Jacksonville	09/30/2015
Appointee: Hogan, Mike, Jacksonville	01/01/2016		
Florida Real Estate Appraisal Board		Board of Professional Surveyors and Mappers	
Appointees: Boyd, Joseph Robert, Jr., Tallahassee	10/31/2012	Appointees: Conkling, Frank James, Palm Beach Gardens	10/31/2013
Herndon, Joni L., Tampa	10/31/2013	Ehmke, Howard J. II, Lake Worth	10/31/2016
Ketcham, Clayton "Clay" Blane, Tallahassee	10/31/2014	Fusco, Nickolas R., Sanford	10/31/2016
McKee, Tamara J., Boca Raton	10/31/2012	Grubbs, O. George, Bartow	10/31/2014
Oreto, Evalyn F., Hudson	10/31/2015	Hill, Deborah J., Tampa	10/31/2015
Pechillo, Roy A., Orange Park	10/31/2015	Krick, Gary B., DeBary	10/31/2014
Rogers, Michael J., Pensacola	10/31/2014	Mastronicola, Arthur A., Jr., Jacksonville	10/31/2013
Sante, Chris, Tavernier	10/31/2013	Petzold, Robin B., Citra	10/31/2014
Simmons, Matthew S., Ft. Myers	10/31/2015	Talbott, Patrick, Lake Placid	10/31/2013
Florida Real Estate Commission		Jacksonville Transportation Authority	
Appointees: Enzor, Roger P., Pensacola	10/31/2015	Appointees: Burr, Edward E., Jacksonville Beach	05/31/2015
Hornsleth, Poul, Gulfport	10/31/2014	Harper, Donna L., Jacksonville	05/31/2014
Podolsky, William J. III, Tampa	10/31/2014	McCaleb, Scott L., Jacksonville Beach	05/31/2015
Apalachee Regional Planning Council, Region 2		Reemployment Assistance Appeals Commission	
Appointees: Hammond, Michael L., Confidential pursuant to s. 119.071(4), F.S.	10/01/2013	Appointee: Finnegan, Joseph D., Tallahassee	06/30/2015
Layman, Kelly A., Tallahassee	10/01/2013	Board of Veterinary Medicine	
North Central Florida Regional Planning Council, Region 3		Appointees: Johnson, Connie M., Plant City	10/31/2013
Appointee: Collett, Thomas D., Newberry	10/01/2012	O'Neil, Robert E., Coral Springs	10/31/2014
Withlacoochee Regional Planning Council, Region 5		Parratto-Wagner, Nanette, Orlando	10/31/2015
Appointees: Craig, Avis Marie, Crystal River	10/01/2012	Big Cypress Basin Board of the South Florida Water Management District	
Selph, Walter E., Brooksville	10/01/2012	Appointees: Barber, Frederick T. III, Bonita Springs	03/01/2014
Smith, Whitney S., Fanning Springs	10/01/2012	Carlson, Alice J., Naples	03/01/2015
East Central Florida Regional Planning Council, Region 6		Farmer, David H., Naples	03/01/2014
Appointee: Mercer, Atlee E., Kissimmee	10/01/2012	Haskins, Ralph H., Naples	03/01/2015
Central Florida Regional Planning Council, Region 7		Vaughn, John Wesley, Jr., Naples	03/01/2013
Appointees: Huddleston, Chester L., Wauchula	10/01/2013	Board of Trustees, New College of Florida	
Posey, Elvie, Okeechobee	10/01/2013	Appointee: Skestos, George A., Longboat Key	01/06/2013
Tuck, Andy, Sebring	10/01/2012	Board of Trustees, Pensacola State College	
Tampa Bay Regional Planning Council, Region 8		Appointee: Moore, Harold Edward, Jr., Pensacola	05/31/2015
Appointees: Kinsler, Angeleah C., Lutz	10/01/2012	Board of Trustees, University of North Florida	
		Appointee: Franklin, Fred D., Jr., Confidential pursuant to s. 119.071(4), F.S.	01/06/2013

Referred to the Committee on Ethics and Elections.

<p style="text-align: center;"><i>Office and Appointment</i></p> <p>Executive Director, Citizens Property Insurance Corporation Appointee: Gilway, Barry J., Ponte Vedra Beach</p> <p style="text-align: center;">Referred to the Committees on Banking and Insurance; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Secretary of Corrections Appointee: Crews, Michael D., Tallahassee</p> <p style="text-align: center;">Referred to the Committees on Appropriations Subcommittee on Criminal and Civil Justice; Criminal Justice; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Director, Agency for Persons with Disabilities Appointee: Palmer, Barbara Jo, Tallahassee</p> <p>Secretary of Elderly Affairs Appointee: Corley, Charles Thomas, Tallahassee</p> <p style="text-align: center;">Referred to the Committees on Children, Families, and Elder Affairs; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Executive Director, Department of Economic Opportunity Appointee: Panuccio, Jesse, Tallahassee</p> <p style="text-align: center;">Referred to the Committees on Commerce and Tourism; Community Affairs; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Board of Directors, Enterprise Florida, Inc. Appointees: Davis, Julius D., Tampa Dempsey, Hayden R., Tallahassee Keiser, Belinda, Parkland Kise, Christopher M., Tallahassee Rodriguez, Henry, Nokomis</p> <p style="text-align: center;">Referred to the Committees on Commerce and Tourism; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Florida Public Service Commission Appointee: Edgar, Lisa B., Tallahassee</p> <p style="text-align: center;">Referred to the Committees on Communications, Energy, and Public Utilities; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Criminal Conflict and Civil Regional Counsel - First District Court of Appeal Appointee: Lewis, Jeffrey E., Confidential pursuant to s. 119.071(4), F.S.</p> <p>Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal Appointee: Neymotin, Ita M., Esquire, Confidential pursuant to s. 119.071(4), F.S.</p> <p>Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal</p>	<p><i>For Term Ending</i></p> <p>Pleasure of the Board</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>09/30/2016 09/30/2015 09/30/2015 09/30/2015 09/30/2014</p> <p><i>For Term Ending</i></p> <p>01/01/2017</p> <p><i>For Term Ending</i></p> <p>07/01/2015</p> <p>07/01/2015</p> <p>07/01/2015</p>	<p style="text-align: center;"><i>Office and Appointment</i></p> <p>Appointee: Zenobi, Eugene F., Esquire, Confidential pursuant to s. 119.071(4), F.S.</p> <p>Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal Appointee: Ryan, Antony Parker, Esquire, Riviera Beach</p> <p>Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal Appointee: Deen, Jeffrey D., Esquire, Confidential pursuant to s. 119.071(4), F.S.</p> <p>Parole Commission Appointees: Cohen, Bernard R., Sr., Tallahassee Coonrod, Melinda N., Confidential pursuant to s. 119.071(4), F.S.</p> <p style="text-align: center;">Referred to the Committees on Criminal Justice; and Ethics and Elections.</p> <p style="text-align: center;"><i>Office and Appointment</i></p> <p>Director, Office of Early Learning Appointee: Jurado, Melody "Mel", Tallahassee</p> <p>State Board of Education Appointees: Armas, Ada Gonzalez, Coral Gables Bradshaw, Sara "Sally" S., Havana Chartrand, Gary, Ponte Vedra Beach Desai, Akshay M., St. Petersburg Feingold, Barbara S., Delray Beach Padgett, John R., Key West</p> <p>Board of Governors of the State University System Appointees: Carter, Matthew M. II, Tallahassee Huizenga, H. Wayne, Jr., Delray Beach Kuntz, Thomas G., Winter Park Lautenbach, Ned C., Naples Levine, Alan M., Naples Morton, Edward Allen, Naples Webster, Elizabeth, Weston</p> <p>Board of Trustees, Florida A & M University Appointee: Warren, Cleve E., Jacksonville</p> <p>Board of Trustees, Florida Atlantic University Appointees: Moabery, Abdol, Delray Beach Teske, Julius J., Vero Beach</p> <p>Board of Trustees, University of Central Florida Appointees: Crofton, Meg G., Winter Park Garvy, Robert A., Palm Beach Marchena, Marcos R., Orlando</p> <p>Board of Trustees, Florida State University Appointees: Bense, Allan G., Panama City Gruters, Joseph R., Sarasota Pantin, Leslie V., Coral Gables</p> <p>Board of Trustees, Florida Gulf Coast University Appointees: Little, John R., Naples McShea, Dorene, Naples Priddy, Russell A., Immokalee</p> <p>Board of Trustees, Florida International University Appointees: Barlick, Robert T., Jr., Coral Gables Grant, Gerald C., Jr., Palmetto Bay</p> <p>Board of Trustees, New College of Florida Appointees: Baker, Bradford Dennis, Venice Keating, Elaine M., Longboat Key Snyder, Steven L., Sarasota</p>	<p><i>For Term Ending</i></p> <p>07/01/2015</p> <p>07/01/2015</p> <p>07/01/2015</p> <p>06/30/2014 06/30/2018</p> <p><i>For Term Ending</i></p> <p>Pleasure of Governor</p> <p><i>For Term Ending</i></p> <p>12/31/2016 12/31/2013 12/31/2014 12/31/2014 12/31/2013 12/31/2016</p> <p>01/06/2019 01/06/2020 01/06/2019 01/06/2019 01/06/2020 01/06/2020 01/06/2019</p> <p>01/06/2016</p> <p>01/06/2016 01/06/2016</p> <p>01/06/2016 01/06/2015 01/06/2016</p> <p>01/06/2016 01/06/2016 01/06/2018</p> <p>01/06/2015 01/06/2016 01/06/2016</p> <p>01/06/2015 01/06/2016</p> <p>01/06/2016 01/06/2016 01/06/2016</p>
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<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida Polytechnic University		Governing Board of the St. Johns River Water Management District	
Appointees: Bostick, R. Mark, Lake Wales	06/30/2015	Appointees: Bournique, Douglas C., Vero Beach	03/01/2016
Brown, William M., Melbourne	11/07/2017	Daniels, Lowry "Lad" A., Jacksonville	03/01/2015
Caruncho, Joseph L., Sr., Miami	06/30/2014	Drake, Charles W., Orlando	03/01/2015
Featherman, Sandra, Highland Beach	07/15/2015	Robbins, George W. III, Jacksonville	03/01/2016
Gidel, Robert H., Windermere	06/30/2017	Roberts, Frederick N., Jr., Ocala	03/01/2015
Hallion, Richard P., Jr., Shalimar	07/15/2014		
Hammack, Scott J., Naples	06/30/2015	Executive Director of St. Johns River Water Management District	
Hyman, Kevin M., Winter Haven	06/30/2015	Appointee: Tanzler, Hans G. III, Confidential pursuant to s. 119.071(4), F.S.	Pleasure of the Board
Martin, Frank T., Clermont	07/15/2015		
Stork, Robert W., Vero Beach	06/30/2014	Governing Board of the South Florida Water Management District	
Wilson, Donald H., Homeland	07/15/2014	Appointees: Batchelor-Robjohns, Anne "Sandy," Miami Beach	03/01/2016
		DeLisi, Daniel, Estero	03/01/2015
Board of Trustees, University of Florida		Moran, James J., Esquire, West Palm Beach	03/01/2015
Appointees: Cameron, Susan M., Ft. Lauderdale	01/06/2016	O'Keefe, Daniel T., Windermere	03/01/2016
Corr, Christopher T., Lake Lure	01/06/2016	Portuondo, Juan M., Key Biscayne	03/01/2015
Edwards, Charles B., Ft. Myers	01/06/2016	Sargent, Timothy W., Jr., West Palm Beach	03/01/2014
Heekin, William Michael, Esquire, Sandy Springs	01/06/2016	Waldman, Glenn J., Weston	03/01/2014
Levine, Alan M., Naples	01/06/2016		
Roulhac, Juliet M., Plantation	01/06/2015	Executive Director of South Florida Water Management District	
Board of Trustees, University of North Florida		Appointee: Meeker, Melissa L., Stuart	Pleasure of the Board
Appointees: Franklin, Fred D., Jr., Confidential pursuant to s. 119.071(4), F.S.	01/06/2018		
Lovett, William Radford II, Atlantic Beach	01/06/2016	Governing Board of the Southwest Florida Water Management District	
Pappas, M. Lynn, St. Augustine	01/06/2015	Appointees: Babb, Michael A., Tampa	03/01/2014
Pincomb, Myron W., Ponte Vedra	01/06/2016	Giesy-Griffin, Wendy, Lithia	03/01/2016
Russell, Lanny, Ponte Vedra Beach	01/06/2016	Joerger, Albert G., Sarasota	03/01/2015
Wamble-King, Sharon, Jacksonville	01/06/2016	Maggard, Randall "Randy", Zephyrhills	03/01/2015
		Mann, George W. III, Polk City	03/01/2013
Board of Trustees, University of South Florida		Senft, H. Paul, Jr., Haines City	03/01/2015
Appointees: Mitchell, Stephen J., Esquire, Tampa	01/06/2016	Tharp, Douglas B., The Villages	03/01/2015
Ramil, John B., Tampa	01/06/2016		
Sembler, Debbie Nye, Pinellas Park	01/06/2016	Executive Director of Southwest Florida Water Management District	
		Appointee: Guillory, Blake C., Jupiter	Pleasure of the Board
Board of Trustees, University of West Florida			
Appointees: Cleveland, David E., Gulf Breeze	01/06/2016	Governing Board of the Suwannee River Water Management District	
Dana, Pamela J., Destin	01/06/2016	Appointees: Brown, Kevin W., Alachua	03/01/2015
Patel, Jayprakash S., Pensacola	01/06/2016	Cole, George M., Monticello	03/01/2015
Walton, Garrett W., Pensacola	01/06/2016	Curtis, Donald Raymond "Ray" III, Perry	03/01/2015
		Johns, Virginia H., Alachua	03/01/2013
		Jones, Gary F., Old Town	03/01/2016
		Quincey, Donald "Don", Chiefland	03/01/2016
Referred to the Committees on Education; and Ethics and Elections.		Executive Director of Suwannee River Water Management District	
		Appointee: Shortelle, Ann B., Gainesville	Pleasure of the Board
<i>Office and Appointment</i>	<i>For Term Ending</i>		
Environmental Regulation Commission		Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.	
Appointees: Bauer, Michael R., Naples	07/01/2013		<i>For Term Ending</i>
Gelber, Adam R., Miami Beach	07/01/2015	<i>Office and Appointment</i>	
Grandin, Susan C., Jacksonville	07/01/2015	Investment Advisory Council	
Joyce, Joseph C., Gainesville	07/01/2015	Appointees: Cobb, Charles E., Coral Gables	12/12/2015
Montoya, Herbert William, Ponte Vedra Beach	07/01/2015	Daniels, Leslie B., Palm Beach	12/12/2014
Roth, Cari L., Tallahassee	07/01/2013	Harrell, William H., Jr., Tampa	02/01/2016
		Price, Michael F., New York	12/12/2014
Fish and Wildlife Conservation Commission		Wendt, Gary C., Ft. Lauderdale	12/12/2015
Appointees: Priddy, Aliese P., Immokalee	01/06/2017		
Roberts, Charles W. III, Tallahassee	08/01/2016		
Governing Board of the Northwest Florida Water Management District			
Appointees: Alter, John W., Malone	03/01/2015		
Andrews, Angus "Gus" G., Jr., DeFuniak Springs	03/01/2015		
Costello, Jonathan M., Tallahassee	03/01/2016		
Patronis, Nicholas "Nick" J., Panama City Beach	03/01/2015		
Spring, Samuel R., Port St. Joe	03/01/2016		
Executive Director of Northwest Florida Water Management District			
Appointee: Steverson, Jonathan Paul, Tallahassee	Pleasure of the Board		

Office and Appointment

Secretary of Management Services

Appointee: Nichols, Craig J., Weston

*For Term
Ending*Pleasure of
Governor

disposition data, analyzed various judicial workload indicators, applied a three-year average net need, and considered judgeship requests submitted by the lower courts. Applying this methodology, this Court certifies the need for sixty-three judgeships statewide, sixteen of which are in circuit court and forty-seven in county court as detailed in the attached appendix.

Secretary of State

Appointee: Detzner, Kenneth W., Tallahassee

Pleasure of
Governor

We observe that state revenues, while gradually improving, continue to lag, thereby creating competition between funding new judgeships and attending to other critical state needs. Yet, as we have noted in previous opinions, our judges and court staff continue to work conscientiously to administer justice and resolve disputes promptly. They do so despite a demonstrated need for new judges and with a smaller staffing complement.

Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections.*Office and Appointment**For Term
Ending*

State Surgeon General

Appointee: Armstrong, John H., Ocala

Pleasure of
Governor

Our most recent analysis indicates a slight increase in probate and circuit civil filings. Felony, domestic relations, juvenile delinquency, and juvenile dependency filings, however, have decreased. The reduction in felony filings corresponds to a decline in arrests, as reported by the Florida Department of Law Enforcement.³ Also, while it may be too soon to indicate a sustained downward trend, recent juvenile justice reforms undertaken by the Florida Department of Juvenile Justice may also be resulting in fewer juvenile delinquency filings.⁴

Referred to the Committees on Health Policy; and Ethics and Elections.*Office and Appointment**For Term
Ending*

Executive Director of Department of Veterans' Affairs

Appointee: Prendergast, Kenneth Lee Michael
"Mike", Jr., Confidential pursuant
to s. 119.071(4), F.S.Pleasure of
Governor
and Cabinet

Notwithstanding the decreases to certain filing categories, our three-year average net need analysis continues to indicate that additional judgeships are necessary in our circuit courts. This three-year average net need reflects sustained workload over a multi-year period.

Referred to the Committees on Military Affairs, Space, and Domestic Security; and Ethics and Elections.*Office and Appointment**For Term
Ending*

Tampa-Hillsborough County Expressway Authority

Appointee: Diaco, Stephen C., Tampa

07/01/2014

A number of workload trends are affecting court operations throughout the state. Several of the chief judges cited problems of fewer staff to assist with case processing matters, substantial pending caseloads, high jury trial rates, reduced clearance rates, and statutory requirements requiring additional hearings for certain case types in civil, criminal, and family law as trends contributing to judicial workloads. Other chief judges noted the effect of self-represented litigants on court time and resources and the protracted delays experienced by parties in scheduling hearings. Collectively, these factors contribute to court delay.

Florida Transportation Commission

Appointees: Ellington, Donald L., Gainesville
Ferre, Maurice A., Miami
Frazier, Susan Katherine, Tampa
Kigel, Beth R., Lake Worth
Lautenbach, Ned C., Naples
Marono, Manuel L., Sweetwater
Trumbull, Jay N., Panama City
Tuck, Andy, Sebring09/30/2013
09/30/2014
09/30/2015
09/30/2015
09/30/2015
09/30/2015
09/30/2015
09/30/2014

Our judges continue to absorb the work previously performed by case managers, law clerks, magistrates, and other supplemental support staff lost in the budget reductions of recent years.⁵ Most of these positions provided direct case management, legal research, and adjudicatory support to our judges. The consensus among chief judges is that the loss of support staff translates into slower case processing times, crowded dockets, and long waits to access judicial calendars.

Referred to the Committees on Transportation; and Ethics and Elections.**SUPREME COURT OF FLORIDA**

The following certificate was received:

No. SC12-2398

IN RE: CERTIFICATION OF NEED**FOR ADDITIONAL JUDGES.**

[December 20, 2012]

PER CURIAM.

This opinion fulfills our constitutional obligation to determine the State's need for additional judges in Fiscal Year 2013/2014 and to certify our "findings and recommendations concerning such need" to the Legislature.¹ Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." *In re Certification of Need for Additional Judges*, 889 So. 2d 734, 735 (Fla. 2004).

TRIAL COURTS

The Florida Supreme Court continues to use a weighted caseload system as a primary basis for assessing judicial need for the trial courts.² Using objective standards, this Court has examined case filing and

Several of our chief judges note, in particular, the long waits associated with obtaining hearing times. In some jurisdictions, dockets are so full that it takes several weeks to schedule a hearing. Similarly, judges must schedule lengthy jury trials months in advance. These conditions are additional indicators of an under-resourced court system. Moreover, chief judges continue to report concerns expressed by judges that they are less able to devote adequate time to hearings due to significant workload.

Workload associated with the residential mortgage foreclosure crisis continues to impede disposition times and rates in our circuit civil divisions. Due to the severity and protracted nature of the crisis, our trial courts continue to struggle with heavy pending caseloads and the slow resurgence of foreclosure filings. Further, this crisis has had a ripple effect on the workload of other court divisions as chief judges and administrative judges allocate limited court resources to address demand. In recognition of this protracted crisis the Legislature, through the Foreclosure Backlog Reduction Initiative, provided dedicated funding for Fiscal Year 2012/2013 that has enabled the court system to secure the services of additional senior judges and case managers. Resources from the national mortgage settlement agreement have also been made available to assist the courts in addressing the foreclosure case backlog. This Court is grateful for this funding. The case managers and senior judges made available through this funding are in place to make a difference in reducing the foreclosure backlog throughout the state.

County court workload remains high. Unlike circuit court, which has witnessed a slight decrease in judicial need, county court judicial need is significant and holding steady. In select jurisdictions, some chief judges report that credit card debt cases and landlord tenant cases are in-

creasing county court workload. Moreover, the loss of civil traffic infraction hearing officers in county court continues to increase county judge workload as these cases are shifted back to the judicial dockets throughout the state. These factors contribute to a high county court judicial need.

Another sustained trend in both county and circuit court reported by the chief judges is that self-represented litigants continue to have an impact on Florida’s court system. All divisions are experiencing an increase in self-represented litigants. Frequently, self-represented litigants are unprepared for the rigors of presenting evidence, following rules of procedure, and generally representing themselves in court. Consequently, they often require enhanced judicial involvement, which entails lengthier hearings, rescheduled hearings, and court delay.

DISTRICT COURTS OF APPEAL

The Second District Court of Appeal requests two additional judgeships, citing its current averaged weighted judicial workload of 315 cases per judge and Florida Rule of Judicial Administration 2.240(b)(2)(B), which provides that a presumption of need arises “where the relative weight of cases disposed on the merits per judge would have exceeded 280 after application of the proposed additional judge(s).” As with last year’s opinion, we have used a three-year average of weighted dispositions per judge which is consistent with our discretion under Florida Rule of Judicial Administration 2.240.

A number of factors contribute to the overall high workload in the Second District, including increases within the civil, criminal post-conviction, other criminal, juvenile, and family case categories. The chief judge of the Second District also cites a backlog of pending cases noting a twenty percent increase in their pending caseload since Fiscal Year 2007/2008.

Clearance rate trends also demonstrate the backlog building in the Second District. In Fiscal Year 2011/2012, there were 6,834 cases filed and 6,018 cases disposed, a clearance rate of eighty-eight percent. For the same period, with respect to criminal judgment and sentence cases, there were 1,720 cases filed and 1,248 cases disposed, reflecting a clearance rate of seventy-three percent.

The Second District also notes that despite high caseloads and a reduction in resources including personnel, the judges and staff have made every effort to properly execute their responsibilities. However, they do so knowing that trying to absorb this increased workload limits the time available for the consideration of each case and the writing of opinions. This Court shares the concerns of the chief judge of the Second District and remains concerned about a diminished quality of justice resulting from high workload and a loss of resources.

While the Second District Court of Appeal has requested that two additional district court judges be certified, our analysis of the three-year weighted dispositions per judge average indicates that they do not meet the threshold of 280 weighted dispositions per judge after a second judge is added. Therefore, we certify the need for one additional district court judge in the Second District for Fiscal Year 2013/2014.⁶

CONCLUSION

We have conducted both quantitative and qualitative assessments of judicial workload. Using the case weighted methodology and the application of other factors identified in Florida Rule of Judicial Administration 2.240, we certify the need for sixty-three additional trial court judges in Florida, consisting of sixteen in circuit court and forty-seven in county court, as set forth in the appendix to this opinion, and one additional district court judge in the Second District Court of Appeal.

Many of the workload trends we identified in last year’s certification opinion remain today. In response, our courts continue to proactively manage their dockets to ensure that the administration of justice is not diminished. Yet despite these measures, we remain concerned that the timeliness and quality of justice are being adversely affected.

We appreciate recent action by the Legislature to stabilize court operations funding, and help the courts to address foreclosure case backlog issues. We recognize that the funding of new judgeships is an expensive proposition, especially during difficult economic times with diminished

state revenues. There are many competing needs within state government and our court system. We have carefully weighed the need for additional judges and for the operational and facilities needs within the trial and appellate courts. We encourage the Legislature to first fund the Judicial Branch Fiscal Year 2013/2014 Legislative Budget Request as there are significant facility and operational issues contained therein which merit funding. To the extent funding is available, we urge the Legislature also to consider our certified need for additional judges.

It is so ordered.

POLSTON, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, LABARGA, and PERRY, JJ., concur.

Original Proceeding – Certification of the Need for Additional Judges

APPENDIX

Circuit	Trial Court Need		County Court Certified Judges
	Circuit Court Certified Judges	County	
1	3	NA	0
2	0	NA	0
3	0	NA	0
4	1	Duval	5
5	3	Citrus	1
		Lake	1
		Marion	1
6	1	NA	0
7	2	Flagler	1
		Volusia	2
8	0	NA	0
		Orange	3
9	1	Osceola	1
		NA	0
10	0	NA	0
11	0	Miami-Dade	11
12	0	Manatee	1
		Sarasota	1
13	0	Hillsborough	4
14	1	Bay	0
15	1	Palm Beach	5
16	0	NA	0
17	0	Broward	6
18	0	Seminole	1
19	1	St. Lucie	1
20	2	Lee	2
TOTAL	16	TOTAL	47

1. Article V, section 9 of the Florida Constitution provides in pertinent part:

Determination of number of judges. The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

2. Our certification methodology relies primarily on case weights and calculations of available judge time to determine the need for additional trial court judges. See Fla. R. Jud. Admin. 2.240.

3. Felony arrest rates as reported by the Florida Department of Law Enforcement dropped six and one-half percent from 2010 to 2011.

4. See Rick Scott, Governor of Florida, Reform Underway at Florida’s Juvenile Justice Agency (January 3, 2012), (available online at <http://www.flagov.com>).

5. When the case weights were originally developed in 1999 and updated in 2007, they incorporated the availability of supplemental resources to assist judges with case processing matters. It is reasonable to conclude that the loss of these supplemental positions (i.e., case managers, law clerks, and magistrates) may increase the case weights if not restored prior to the next case-weight update.

6. One additional judgeship in the second district will place its weighted dispositions per judge at 294. A certification of two judgeships would place its weighted dispositions per judge at 276, four below the threshold.

SENATE RULES

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—SENATE OFFICERS

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

(1) A President and a President Pro Tempore shall be elected for a term of two (2) years at the organization session. They shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

See Rule 5.6—Election by ballot.

See FLA. CONST. art. II, s. 5 Public officers.

See FLA. CONST. art. III, s. 2 Members; officers.

See FLA. CONST. art. III, s. 3(a) Sessions of the legislature.

(2) The Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate whose names shall be certified to the Secretary. The President may designate a Majority Leader whose name shall be certified to the Secretary.

(3) The Minority Party may, by caucus, elect a Minority Leader and a Minority Leader Pro Tempore whose names shall be certified to the Secretary at the organization session.

(4) All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall occur first.

1.2—The President calls the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at its last sitting. A quorum being present, the President shall direct the Senate to proceed with the Daily Order of Business. The President may informally recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President's authority and signature; questions of order; travel

(1) The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers.

See FLA. CONST. art. III, s. 7 Passage of bills.

(2) The President shall decide all questions of order, subject to an appeal by any Senator.

See Rule 8.9—Appeals.

See Rule 8.10—Appeals debatable.

(3) As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President shall have the power to assign duties and sign requisitions pertaining to

legislative expenses incurred in transacting Senate business as authorized. The President shall have responsibility for Senate property and may delegate specific duties or authority pertaining thereto.

(4) The President may authorize or retain counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a Senate committee, a Senator (whether in the legal capacity of Senator or taxpayer), a former Senator, or a Senate officer or employee when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—The President's appointment of committees

(1) The President appoints members to all standing committees, standing subcommittees, and select committees. The President also appoints the Senate members of conference committees, joint committees, and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Rules Committee.

1.6—The President's vote

The President or temporary presiding Senator shall not be required to vote in legislative proceedings, except on final passage of a measure. In all yeas and nays, the President's name shall be called last.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

1.7—The President's absence from the chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair during a sitting.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) If the President resigns, he or she may, prior to resignation, designate a member of his or her party to assume the duties of the chair until a permanent successor is elected.

(4) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from electing a presiding officer. If the chair is vacated permanently during a session of the Legislature, a new presiding officer must be elected within seven (7) days of the vacancy. If the chair is vacated permanently while the Legislature is not in session, the President's designee shall convene the Senate no later than thirty (30) days after the vacancy for the purpose of electing a new presiding officer. The election shall be the Senate's first order of business. In the event that a designation is not made pursuant to subsection (3) of this Rule, the President Pro Tempore shall assume the duties of the designee in convening the Senate to elect a new presiding officer.

1.8—Election of the Senate Secretary

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, as required by Senate Rules, or as assigned by the President. The Secretary shall take an oath to support the *Constitution of the United States* and the *Constitution of the State of Florida*, and for the true and faithful discharge of the duties of office.

See FLA. CONST. art. II, s. 5(b) Public officers.

See FLA. CONST. art. III, s. 2 Members; officers.

(2) The Secretary shall be under the supervision of the President, who may assign additional duties to the Secretary. In the event of a vacancy in the position of Secretary, the President may appoint someone to perform the duties of the office until the Senate, by its vote, fills the vacancy.

(3) The Secretary shall be the Senate enrolling and engrossing clerk and may designate staff to assist with the duties of the office.

1.9—Duties of the Secretary at organization session

If the President and the President Pro Tempore of the preceding session are absent or are no longer members, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties of the Secretary generally; keeps Journal

(1) The Secretary shall keep a correct daily Journal of Senate proceedings. The Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be made available by the Secretary for the information of the Legislature and the public.

(2) The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials.

(3) The Secretary shall keep under seal a separate Journal of the proceedings of the executive sessions of the Senate.

(4) The Secretary shall not permit any official records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt.

1.11—The Secretary prepares daily calendar

(1) The Secretary shall prepare a daily calendar that shall set forth:

- (a) The order of business;
- (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
- (c) The status of each bill, i.e., whether on second (2nd) reading, third (3rd) reading, or unfinished business;
- (d) Notices of committee meetings; and
- (e) Notices of meetings required pursuant to Rule 1.45.

(2) The Secretary shall publish the daily calendar for the information of the Legislature and the public.

1.12—The Secretary reads papers; calls roll; records votes

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll verbally or by electronic roll call and record the votes when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any Senate vote is taken by a show of hands or otherwise.

See Rule 5.1—Taking the yeas and nays.

1.13—The Secretary attests to warrants, subpoenas, and the passage of all measures

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

See FLA. CONST. art. III, s. 7 Passage of bills.

1.14—The Secretary prepares forms

The Secretary shall prepare all forms used by the Senate.

1.15—The Secretary examines legal form of bills for introduction

The Secretary shall examine all bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

See Rule 3.1—Form of bills.

1.16—The Secretary supervises information technology operations; indexes bills

The Secretary shall supervise Senate information technology operations and maintain a numerical index of bills and a cumulative index by introducers.

1.17—The Secretary transmits bills to the House of Representatives

Unless otherwise directed by the President, the Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay. Each measure shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

See Rule 6.8—Reconsideration; Secretary to hold for period.

1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business.

(2) All messages reflecting House amendments to Senate bills shall be promptly reviewed by the appropriate committees for research and summary. Special notice of the summaries shall be made available to each Senator.

(3) The President shall be informed by the Chair of the Rules Committee when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report to the Senate recommending action on the relevant House amendments. The report may be received when the message is reached under Messages from the House of Representatives.

PART TWO—SENATORS**1.20—Attendance, voting, and disclosure of conflicts**

(1) Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sittings and in attendance at all assigned committee meetings.

(2) A Senator who is in the Chamber or in a committee meeting shall vote on each question, except as provided in Rule 1.6.

(3) However, a Senator shall abstain from voting if, in the Senator's judgment, a vote on a question would constitute a conflict of interest as defined in Rule 1.39. A Senator who abstains from voting shall file the disclosure required by Rule 1.39.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

1.21—Excused absence

The President may excuse a Senator from attending a sitting of the Senate or any meetings of Senate committees for any stated period. An excused absence from a sitting of the Senate shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a sitting of the Senate or meeting of its committees and having in his or her possession official papers relating to Senate business shall leave such papers with the Secretary before leaving the Capitol.

1.23—Senators deemed present unless excused

A Senator who answers the quorum roll call at the opening of a sitting or who enters after such roll call and announces his or her presence to the Senate shall thereafter be considered present unless excused by the President.

See Rule 4.2—Quorum.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for Senators

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities; approval of the President

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

PART THREE—SENATE EMPLOYEES**1.28—Dismissal of employees; employment of a spouse or immediate relative**

(1) The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion, the issue may be referred to the Rules Committee for its recommendation. The pay of an employee so terminated shall stop on the termination date.

(2) A Senator's spouse or immediate relatives may serve in any authorized position. However, they shall not receive compensation for services performed, except as a participant in the Florida Senate Page Program.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any matter whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and policy of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their respective department head or Senator.

1.31—Absence without permission

If employees are absent without prior permission, except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Employee political activity

Senate employees shall be regulated concerning their political activity pursuant to Senate Administrative Policies and Procedures.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS**1.35—Legislative conduct**

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to his or her own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by subsection (1) shall not be considered a violation of this Rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Rules Committee. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any other office, or a political party. When required by law, the Senator shall promptly create a public website that contains a mission statement for such organization, the names of the Senators associated with that organization, and disclosure of contributions received by and expenditures made by the organization.

(4) Upon a determination that a Senator has violated this Rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

1.37—Conflicting employment

A Senator shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A Senator shall not use his or her influence as a Senator in any issue that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure of conflict of interest and prohibition on voting thereon

(1) Abstention on matters of special private gain or loss.—A Senator may not vote on any matter that the Senator knows would inure to the special private gain or loss of the Senator. The Senator must disclose the nature of the interest in the matter from which the Senator is required to abstain.

(2) Disclosure on matters of special private gain or loss to family or principals.—When voting on any matter that the Senator knows would inure to the special private gain or loss of:

- (a) 1. Any principal by whom the Senator or the Senator's spouse, parent, or child is retained or employed;

2. Any parent organization or subsidiary of a corporate principal by which the Senator is retained or employed; or
3. An immediate family member or business associate of the Senator,

the Senator must disclose the nature of the interest of such person in the outcome of the vote.

- (b) For the purpose of this Rule, the term:
 1. "Immediate family member" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.
 2. "Business associate" means any person or entity engaged in or carrying on a business enterprise with the Senator as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.

(3) **Methods of disclosure.**—If the vote is taken on the floor, disclosure under this Rule or under any related law shall be accomplished by filing with the Secretary a memorandum the substance of which shall be printed in the Journal. If the vote is taken in a committee or subcommittee, the memorandum shall be filed with the committee or subcommittee administrative assistant, who shall file such memorandum in the committee or subcommittee files and with the Secretary. A Senator shall make every reasonable effort to file a memorandum pursuant to this Rule prior to the vote. If it is not possible to file the memorandum prior to the vote, then the memorandum must be filed immediately but not more than fifteen (15) days after the vote. The Secretary shall also make all memoranda filed pursuant to this Rule available online.

(4) **Exception.**—Notwithstanding this Rule, a Senator may vote on the General Appropriations Act or related implementing legislation without providing any disclosure. However, a Senator must follow the provisions of this Rule when specific appropriations or amendments are considered for inclusion in the General Appropriations Act or related implementing legislation.

See Rule 1.20—Attendance, voting, and disclosure of conflicts.

1.40—Ethics training

Prior to the opening day of a regular session in odd-numbered years, all Senators shall complete a course of at least one (1) hour in length which addresses the requirements of law under the Code of Ethics for Public Officers and Employees, open meetings, public records, and any other subject approved by the President.

1.41—Senate employees and conflicts

Senate employees shall be accountable to the intent of these Rules regulating legislative conduct and ethics.

1.42—Advisory opinions

Questions from Senators relating to the interpretation and enforcement of Rules regulating legislative conduct and ethics shall be referred to the Senate General Counsel and shall emanate therefrom. A Senator may submit a factual situation to the Senate General Counsel with a request for an advisory opinion establishing the standard of public duty. The Senate General Counsel shall enter an opinion responding to each inquiry on which a Senator may reasonably rely. No opinion shall identify the requesting Senator without the Senator's consent.

1.43—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair, or the President when the complaint is against the Rules Chair, alleging a violation by a Senator of the Rules regulating legislative conduct and ethics. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, shall attach all documentation on which the complaint is based, and shall identify the specific Rule alleged by the complainant to have been violated by the Senator.

- (a) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the

complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.

- (b) Upon a determination by the Rules Chair, or the President when the complaint is against the Rules Chair, that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. The special master shall conduct an investigation, shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the Rules Chair, or the President when the complaint is against the Rules Chair, as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair, or the President when the complaint is against the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the Senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Rules Chair, the chair is excused and the vice chair shall conduct the deliberation. If the Rules Committee votes to dismiss the complaint, the Rules Chair or vice chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rules regulating legislative conduct and ethics may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Rules Committee.

See FLA. CONST. art. III, s. 4(d) Quorum and procedure.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.44—Open meetings

(1) All meetings at which legislative business is discussed between more than two (2) members of the Legislature shall be open to the public except:

- (a) At the sole discretion of the President, after consultation with appropriate law enforcement, public health, emergency management, or security authorities, those portions of meetings of a select committee, committee, or subcommittee concerning measures to address security, espionage, sabotage, attack, and other acts of terrorism.
- (b) Discussions on the floor while the Senate is sitting and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule, "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

1.45—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed at least four (4) hours before the scheduled time of the meeting. After the fiftieth (50th)

day of a regular session and during a special session, the notice shall be filed at least two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President (or a Senator designated to represent the President) with the Governor or with the Speaker (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee of a majority of the chairs of the Senate's standing committees.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) Notices of meetings required by Rule 1.45(1) shall be filed by or at the direction of the person at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m., then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.45(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall publish on the Senate website and post on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol. The Secretary shall make a diligent effort to give actual notice to members of the media of all noncalendared meeting notices.

(4) Political caucuses shall be open to the public in accordance with Rule 1.44 and noticed in accordance with this Rule when legislative business then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.46—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) All prearranged gatherings between more than two (2) members of the Legislature, or between the Governor, the President, or the Speaker, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(3) In cases of conflict between this Rule and any other Senate Rule, the Rule providing greater notice or public access shall prevail.

1.47—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

1.48—Legislative records; maintenance, control, destruction, disposal, fee for copies, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

See FLA. CONST. art. I, s. 24(a) Access to public records and meetings.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from public disclosure, shall be retained electronically by each staff director until transferred by

the Secretary to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, bill analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained; additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) sample copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a Senator's district office shall include the offices each Senator retains for the transaction of official legislative business in his or her respective district and the assigned offices located in the Senate Office Building or the Capitol in Tallahassee.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or

consultant retained by the Legislature, or an officer of the Legislature.

- (d) A draft of a report, bill analysis, fiscal note, report prepared by a contract employee or consultant retained by the Legislature or the Senate and materials in support thereof until the draft is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five (5) years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President for subsequent five-year (5) periods.

1.49—Violations of Rules on open meetings and notice

Violations of Rules 1.44 and 1.45 constitute violations of the Rules regulating legislative conduct and ethics and shall be subject to the procedures and penalties prescribed in Rule 1.43.

See Rule 1.43—Violations; investigations, penalties.

RULE TWO

COMMITTEES, OFFICERS, MEMBERS,
VOTING, MOTIONS, DECORUM, AND DEBATE

PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1—Standing committees; standing subcommittees; select subcommittees

(1) The following standing committees with standing subcommittees are created:

- (a) Agriculture
- (b) Appropriations
 - 1. Subcommittee on Criminal and Civil Justice
 - 2. Subcommittee on Education
 - 3. Subcommittee on Finance and Tax
 - 4. Subcommittee on General Government
 - 5. Subcommittee on Health and Human Services
 - 6. Subcommittee on Transportation, Tourism, and Economic Development
- (c) Banking and Insurance
- (d) Children, Families, and Elder Affairs
- (e) Commerce and Tourism
- (f) Communications, Energy, and Public Utilities
- (g) Community Affairs
- (h) Criminal Justice
- (i) Education
- (j) Environmental Preservation and Conservation
- (k) Ethics and Elections
- (l) Gaming
- (m) Governmental Oversight and Accountability
- (n) Health Policy
- (o) Judiciary
- (p) Military and Veterans Affairs, Space, and Domestic Security
- (q) Reapportionment
- (r) Regulated Industries
- (s) Rules
- (t) Transportation

(2) Permanent standing committees and standing subcommittees, when created and designated by Senate Rule, shall exist and operate both during and between sessions.

See Rule 1.5—The President's appointment of committees.

(3) No standing committee shall consist of fewer than five (5) members.

(4) A select subcommittee may be appointed by a standing committee or the chair thereof, with prior approval of the President.

- (a) A select subcommittee may study or investigate a specific issue falling within the jurisdiction of the standing committee or hear a bill referred to it.
- (b) The President and the Secretary shall be promptly notified of the appointment of a select subcommittee, its assignment, and the time allowed for the assignment, and shall be notified on completion of the assignment.
- (c) Select subcommittees shall be governed by the Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment or thirty (30) days, whichever is less, unless extended by the President.
- (d) The advisory report by a select subcommittee whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the perfor-

mance of the functions of government within each subject area;

- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim work assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Repealed

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall also be subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Repealed

2.6—Committee meeting notices; regular session and interim; day fifty (50) rule

(1) Senate committees shall submit a notice of meeting as provided herein. Reference to committee meeting notices in these Rules shall include all standing committees, standing subcommittees, select committees, select subcommittees, and such other committees or subcommittees as may be created by the Senate.

(2) Committee meeting notices shall include the date, time, amendment deadline, and place of the meeting together with the name of the introducer, subject, and number of each bill to be taken up and other subjects to be considered.

(3) Notice of committee meetings shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of a regular session until proper notice has been published in three (3) weekday calendars, including the calendar published on the day of such committee meeting.

(4) If a weekend meeting is scheduled, notice of such meeting shall appear in three (3) daily calendars, including those published on the weekend days on which the meeting is held. However, a calendar published on a weekend shall not be included in the calculation of publication days for meetings taking place on Monday through Friday.

(5) Calendars published on the Friday and Monday immediately preceding the opening day of a regular session may be included in the calculation of the three-day (3) notice requirement for meetings held on the first (1st) and second (2nd) days of a regular session.

(6) After day fifty (50) of a regular session, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.10 may be held following an announcement by the chair of the committee or subcommittee or, in the chair's absence, the vice chair while the Senate is sitting. Notice shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol four (4) hours in advance of the meeting. A committee meeting announced during a sitting may occur four (4) hours after notice of the meeting has been published on the Senate website and posted on the Senate side of the fourth (4th) floor

rotunda on the fourth (4th) floor of the Capitol. Such notices may be posted in advance of the oral announcement during the sitting.

(7) When the Legislature is not in session, committee meeting notices shall be filed with the Secretary at least seven (7) days prior to the meeting. The Secretary shall make the notice available to the membership and the public.

2.7—Bills recommitted for failure to provide proper notice

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) sittings after such report is printed in the Journal, or the President may recommit such bill at any time. Once recommitted, the bill is available for consideration by the committee as if it had never been reported.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. Once recommitted, the bill is available for consideration by the subcommittee as if it had never been reported.

2.8—Filing and publication of meeting notices

For publication in the daily calendar, notice of committee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m.

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee, standing subcommittee, and select committee shall consider the public business assigned to it as expeditiously as possible and proper.

(2) Unless approved by the President, no committee shall meet after the fiftieth (50th) day of a regular session except the Rules Committee.

2.10—Committee meeting schedules; time limits on meetings

(1) The President shall provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. or meet or continue to meet after 6:00 p.m.

(2) Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the President and notice of such assignment shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol. No committee except the Rules Committee shall meet while the Senate is sitting without the consent of the majority of the Senate present.

2.11—Presentation of bills before committees

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator or his or her legislative assistant. Senate committee professional staff shall be limited to presenting committee bills at meetings of their assigned committees of reference.

2.12—Order of consideration of bills; exception

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in the chair's sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the introducer thereof.

(2) A bill may be considered out of its order on the committee agenda if agreed to by unanimous consent of those committee members present obtained in the following manner: prior to consideration of the motion, the member moving for unanimous consent of those committee members

present shall orally give the committee not less than fifteen (15) minutes' notice of the member's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving member shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

Except as otherwise provided in these Rules, all committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum.

See Rule 1.44—Opening meetings.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

2.15—Standing committee reports; committee substitutes

(1) If reporting a matter referred to it, a standing committee shall report the matter either:

- (a) Favorably,
- (b) Favorably with committee amendment,
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members present of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee, the vote on any other matter or motion properly before the committee shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present at a sitting or except as provided in Rule 2.7 or Rule 4.7(2).

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member present of the committee on final passage of each bill.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

The Secretary shall enter in the Journal the recommended action of the committee on each bill reported, but shall not include that portion of the report relating to the date, time, and place of the meeting or the vote of each member on final passage of a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same or related subject matter to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure.

- (a) The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as a favorable report.
- (b) No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure.
- (c) A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced.
- (d) When reported, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu thereof without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure.
- (e) The names of the introducer and each co-introducer of the original measure shall be shown by the committee administrative assistant on the committee substitute unless an introducer or co-introducer requests that it be omitted.

(f) A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next day that is not a weekend or state holiday, except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. on the second (2nd) such weekday. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the bill. If amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be identified by barcode in the report. All bills reported unfavorably shall be laid on the table.

2.16—Standing subcommittee reports

(1) If reporting a matter referred to it, a standing subcommittee must report the matter directly to the standing committee, which shall promptly certify a copy to the Secretary. The standing subcommittee shall report a matter either:

- (a) Favorably,
- (b) Favorably with committee amendment,
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The date, time, and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on final passage of each bill.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(3) In reporting a bill to the standing committee, a standing subcommittee may draft a new measure, embracing the same or related subject matter, to be returned to the standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the standing committee in the same manner as a favorable report.

(4) All standing subcommittee reports shall be promptly transmitted to the full committee. Each report by a standing subcommittee must set forth the identifying number of the measure. If amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall accompany the report.

(5) All bills reported unfavorably shall be laid on the table by roll call vote when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a majority vote of those standing committee members present before a vote on final passage; however, debate by members of the standing committee shall be allowed prior to such vote.

2.17—Quorum requirement

(1) A standing committee, standing subcommittee, or select committee is assembled only when a quorum constituting a majority of the members of that committee is present in person.

(2) A committee member may question the presence of a quorum at any time.

(3) No committee business of any type shall be conducted in the absence of a quorum. Any matter reported in violation of this Rule shall

be recommitted by the President when it is called to the President's attention by a Senator.

2.19—Conference committee in deliberation; reports

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two (2) groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary by or at the direction of the person calling the meeting, at least one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the place of the meeting. Conference committees may meet at any time with proper notice.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(2) A conference committee, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house. Conference committee reports must be approved and signed by a majority of the managers on the part of each house. All final actions taken in a conference committee shall be by motion.

(4) Each conference committee report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When the President appoints a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary by or at the direction of the person at whose call the meeting is convened, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker (or a Representative designated to represent the Speaker);
- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker or any Representative designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

See FLA. CONST. art. III, s. 4(e) Quorum and procedure.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol. In the case of the appropriations conference, said notice shall also be posted outside the door of the offices of the appropriations committees.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol Complex, but shall not be held in the Chamber of either house while it is sitting.

(8) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees. This motion shall have precedence over all other questions except motions to adjourn or recess, and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of chair and vice chair

A chair and a vice chair of each standing committee shall be appointed by the President and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice chair, both of whom shall continue in office at the pleasure of the President.

2.21—Call to order

The chair or, in the chair's absence, the vice chair, shall call the committee to order at the hour provided by these Rules. A quorum being present, the committee shall proceed with consideration of its agenda.

2.22—Chair's control

The chair shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair may require participants in the disturbance to clear the room.

2.23—Chair's authority; appeals

(1) The chair shall approve all notices, subpoenas, or reports required or permitted by these Rules.

(2) The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during its next sitting following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question.

(3) The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

(4) An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

(5) The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such certified question shall be disposed of by the President as if it had been on appeal.

(6) Final action on an appeal or the certification of a procedural question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chair, vice chair; vote

The chair and vice chair shall vote on all matters before such committee. The name of the chair shall be called last.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

2.25—Temporary alternate to chair

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. If for any reason the chair is absent and fails to name a member, the vice chair shall assume the duties of the chair during the chair's absence.

2.26—Vice chair's duties

On the death, incapacitation, or resignation of the chair, the vice chair shall perform the duties of the office until the President appoints a successor. In the absence of the chair, the vice chair shall act as chair.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting; proxy and poll votes prohibited

(1) Unless excused or necessarily prevented, every member of a committee shall be in attendance during each of its meetings.

(2) The chair may excuse any member for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy nor shall a vote be conducted by poll.

(5) A majority of all the committee members present shall agree by their votes on the disposition of any matter considered by the committee.

See Rule 11.4—Majority action.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a voice vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee is equally divided, the question shall be lost.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(2) A member may request to:

- (a) Vote, or
- (b) Change his or her vote

before the results of a roll call are announced.

(3) After the results have been announced, a member with unanimous consent of those committee members present may vote or change his or her vote. If the vote alters the final action of the committee, no vote or change of vote shall be valid unless the matter has been reconsidered by the committee. On request of a member prior to consideration of other business, the chair shall order a verification of a vote.

2.29—Pair voting prohibited

No pair voting shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No member shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

(1) Every procedural motion may be made orally. On request of the chair, a member shall submit his or her motion in writing.

(2) After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present.

(3) The mover may withdraw a motion at any time before the same has been amended, or before a vote shall have commenced. The mover of a motion to reconsider may withdraw that motion only with the unanimous consent of those committee members present.

2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider instant passage of a main question
- (d) To reconsider
- (e) To limit debate
- (f) To temporarily postpone
- (g) To commit to a select subcommittee
- (h) To amend

which shall have precedence in the descending order given.

(2) The chair shall present all questions in the order in which they are moved unless the subsequent motion is of a higher precedence or a substitute of equal precedence.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute may be pending and the substitute shall be in the same order of precedence. If a substitute fails, another substitute of equal degree may be offered.

2.34—Division of question

A member may move for a division of a question when the sense will admit of it, which shall be decided by a majority vote. A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

See Rule 6.3—Division of question.

2.35—Reconsideration generally

(1) When a question has been decided by a committee, any member voting with the prevailing side may move for reconsideration of the question.

(2) If a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move.

(3) If the committee shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present.

(4) A motion to reconsider final passage of a measure or the confirmation of an executive appointment may be made prior to or pending a motion to rise. It shall not be taken up or voted on when made but shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

(5) At the next succeeding meeting, the reconsideration of such motion may be made by any member prior to a motion to rise.

(6) During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

(7) A motion to reconsider *instanter* may be offered by a member voting on the prevailing side at the original meeting and shall be of a higher precedence than a motion to reconsider.

- (a) If the motion to reconsider *instanter* is agreed to by a two-thirds (2/3) vote of the members present, it shall supersede a motion to reconsider and place the main question again before the committee for further consideration, amendment, and debate.
- (b) If a motion to reconsider *instanter* is not agreed to, a motion to reconsider, if offered or pending as provided in subsection four (4) of this Rule, will be a special and continuing item on the committee agenda for the next meeting.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question proposed for reconsideration is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS

2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration; germanity

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was prepared in proper form and filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are the weekdays of Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment, proposed committee substitute, or proposed committee bill shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) After distribution of all timely filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (b) After distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill must be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (c) Amendments to late-filed amendments, proposed committee substitutes, or proposed committee bills shall be considered timely filed if filed at least two (2) hours prior to the noticed meeting time.
- (d) After the first fifty (50) days of a regular session, an amendment, proposed committee bill, or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the com-

mittee administrative assistant at least two (2) hours prior to the noticed meeting time.

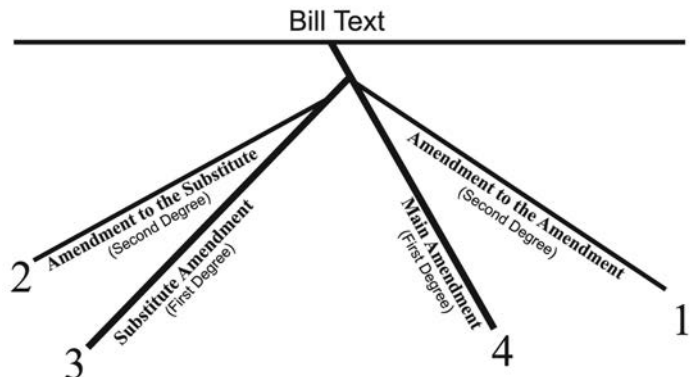
(e) The consideration of any amendment, proposed committee bill, or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present, if any member requests that such a vote be taken. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill and amendment.

(2) Amendments shall be filed on forms prescribed by the Secretary.

- (a) An amendment shall be considered only after its sponsor, who is a member of the committee, gains recognition from the chair to move its adoption.
- (b) An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending.
- (c) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:



- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) An amendment of the third (3rd) degree is out of order.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same or related subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing members for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by previous committees

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Any accompanying amendment shall be included in a subsequent committee substitute unless altered or negated by committee action. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed with the Secretary as part of the reports required in Rules 2.15 and 2.16.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE**2.45—Decorum and debate**

When a member desires to speak or present a matter to the committee, the member shall address himself or herself to “Mr. or Madam Chair” and, on being recognized, may address the committee and shall confine any remarks to the question under debate, avoiding personality. A member shall not address or refer to another member by his or her first name. A member shall use the appellation of “Senator” or such appellation and the surname of the member referred to or addressed.

2.46—Chair’s power to recognize

When two (2) or more members request to speak at once, the chair shall recognize the member who is to speak first.

2.47—Interruptions; when allowed

(1) No member shall be interrupted by another without the consent of the member who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (provided the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a matter is under debate by the committee, a member may move to limit debate, and the motion shall be decided without debate. The introducer of the pending matter on which debate would be limited shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, another member. If the

question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair. Once limited, debate may be extended beyond the original debate time limit by a majority vote of the committee members present.

2.51—Priority of business; debate thereon

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.53—Repealed

See Rule 2.23—Chair’s authority; appeals.

2.54—Repealed

See Rule 2.23—Chair’s authority; appeals.

RULE THREE**BILLS, RESOLUTIONS, AND MEMORIALS****3.1—Form of bills**

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, “Be It Enacted by the Legislature of the State of Florida.” The title of each bill shall be prefaced by the words, “A bill to be entitled An act.” Standard rules of capitalization shall apply.

See FLA. CONST. art. III, s. 6 Laws.

(2) The original must be approved by the introducer and backed in a folder-jacket. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, and enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in Article III, Section 6 of the *State Constitution*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

See FLA. CONST. art. III, s. 6 Laws.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: “Substantial rewording of section. See s. [number], F.S., for present text.” When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary.

See Rule 1.15—The Secretary examines legal form of bills for introduction.

See Rule 3.7—Bill filing deadline during regular session; bill filing between regular sessions.

See Rule 13.4—Delivery for introduction.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. A form of affidavit may be found in section 11.03, *Florida Statutes*. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

See FLA. CONST. art. III, s. 10 Special laws.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:." Each joint resolution shall be prefaced by the words: "A joint resolution."

See FLA. CONST. art. III, s. 6 Laws.

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:."

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida:." Concurrent resolutions shall contain the resolving clause: "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:."

(2) Only the Secretary shall prepare copies of Senate resolutions that are to be furnished any person after the resolution's adoption.

3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) All bills shall be filed for introduction with the Secretary no later than 12:00 noon of the first (1st) day of the regular session except:

- (a) general appropriations bills,
- (b) appropriations implementing bills,
- (c) appropriations conforming bills,
- (d) local bills,
- (e) Senate resolutions,
- (f) concurrent resolutions,
- (g) committee bills,
- (h) trust fund bills, and
- (i) public-record exemptions that are linked to timely filed general bills.

(2) A motion to waive this Rule shall be referred to the Rules Committee for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary.

3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall provide each such numbered bill to the President for reference to a committee or committees pursuant to these

Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. The Secretary shall make all filed bills available to each Senator, including the referencing data for each bill, and a calendar of all committee hearings, including the bills noticed for hearing by each.

(3) Each bill considered by a committee and reported to the Secretary during the interim shall be introduced and read on the first (1st) day of the regular session, pursuant to the *State Constitution*, *Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second (2nd) day on which the Senate sits, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(5) Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary to withdraw his or her bill from further consideration of the Senate.

3.9—Copies of bills

When filed, bills (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Appropriations Committee shall be made available to the members and, upon request, to the public, at the Office of the Secretary and at the committee's office, no less than two (2) hours prior to the time the Appropriations Committee meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received by the Secretary. They shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

(1) When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure.

(2) A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. Differences between the Senate bill and the House bill shall be explained by the mover prior to a vote on a substitution motion.

(3) At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills; co-introducers; introducers no longer Senators

(1) Bills shall be approved for introduction by a Senator whose name is affixed to the original, or by any committee with the name of the committee and the name of the chair of the committee affixed to the original. A bill may be co-introduced by any Senator whose name is affixed to the original.

(2) A Senator who is not seeking or is ineligible for reelection and, therefore, will not be a Senator at the next regular session of the Legislature may not file a bill for that session. Once a Senator is no longer in office, any bill filed by that Senator for a current or future session of the Legislature shall be deemed withdrawn from further consideration of the Senate unless the bill has a co-introducer who, within seven (7) days, agrees to become the introducer of the bill.

3.13—Fiscal notes

(1) Upon being favorably reported by a committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal effects of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries, and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to Senators.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time prior to final passage raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sittings of the Senate

The Senate shall convene pursuant to a schedule provided by the President or at the hour established by the Senate at its last sitting. This schedule shall set forth hours to convene and adjourn and may contain a schedule for the Special Order Calendars submitted by the Rules Chair, Majority Leader, and Minority Leader. During the first fifty (50) days of a regular session, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 8:00 p.m. Otherwise, the Senate shall not convene before 7:00 a.m. nor meet or continue to meet after 6:00 p.m.

See Rule 1.2—The President calls the Senate to order.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

See FLA. CONST. art. III, s. 4 Quorum and procedure.

4.3—Daily Order of Business

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) Pledge of Allegiance to the Flag of the United States of America

- (d) Reports of Committees
- (e) Motions Relating to Committee Reference
- (f) Messages from the Governor and Other Executive Communications
- (g) Messages from the House of Representatives
- (h) Matters on Reconsideration
- (i) Consideration of Bills on Third (3rd) Reading
- (j) Special Order Calendars
- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and Approval of Journal
- (m) Unfinished Business

(2) The Secretary shall prepare and distribute, on each session weekday, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately. Weekend calendars may be prepared when necessary to provide notice of meetings on Saturday or Sunday.

See Rule 4.16—Consideration out of regular order.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President. Notwithstanding Rule 4.3(1), the Senate may, at the direction of the President, take up messages from the House at any time.

See Rule 1.18—The Secretary receives and delivers for reading messages from the House of Representatives; summaries of House amendments to Senate bills.

(4) Unless read during a sitting, first (1st) reading of a bill shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

See FLA. CONST. art. III, s. 7 Passage of bills.

(5) Except by unanimous consent of those Senators present at a sitting, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Senate Rules relating to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a sitting of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the location shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee of the Whole, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the

Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate at two (2) consecutive sittings, and on the completion of the second (2nd) reading the vote shall be:

- (a) on the adoption or rejection of the conference report and, if adopted, the vote shall then be
- (b) on final passage of the measure as amended by the conference report.

During the last five (5) days of a regular session and during any extension thereof, the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected.

(3) Each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(4) Except when the Senate is voting on a proposition, reports of conference committees shall always be in order.

4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees. General appropriations bills, appropriations implementing bills, and appropriations conforming bills introduced by the Appropriations Committee may be placed on the calendar without reference.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the introducer. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference by notice to the Secretary and the bill introducer.

(4) The review of a bill that appears to be local in nature shall be performed by the Secretary to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(5) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(6) When the Secretary, through staff review, has determined that the bill is not local in nature for referencing purposes, the Secretary shall report such determination to the President, who shall refer such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) days from date of receipt by the Secretary. When the Secretary, through staff review, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be available for the calendar on local bills notwithstanding Rule 4.3(5).

4.7—Reference to more than one committee; effect

(1) When a bill receives more than one (1) reference, it shall be considered by each committee separately in the order in which the references are made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present while sitting.

(2) If a committee reports a bill favorably with committee substitute or with any amendment which substantially amends the bill, the President may change or correct the reference of the reported bill. Notice shall be given to the Secretary and the introducer of the bill.

4.8—Review and reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

(1) All bills authorizing or substantially affecting appropriations or tax revenue shall be referred to the appropriate revenue or appropriations committee.

(2) All bills substantially affecting a state-funded or state-administered retirement system shall be referred to the Governmental Oversight and Accountability Committee.

(3) A bill containing a local mandate as described in Article VII, Section 18 of the *State Constitution* shall be referred to the Community Affairs Committee.

(4) A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* may, before being placed before the Senate for final passage, be referred by the President along with all amendments to the appropriate revenue or appropriations committee.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary on or before August 1 in order to be considered by the Senate during the next regular session, except that Senators elected to the Senate during a general election or a special general election may have sixty-two (62) days from the date of that election to file a claim bill. Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty-two (62) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Rules Committee for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Rules Committee shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a special master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the *Florida Rules of Civil Procedure* and the *Florida Evidence Code*, as applicable. The special master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the special master who shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) All claim bills shall be referred by the President to one (1) or more committees for review. On receipt of the special master's report and recommendations, if any, the Secretary shall, upon the President's reference, deliver each claim bill with the report attached to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the special master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement. This subsection does not apply to a bill which relates to a claim of wrongful incarceration.

(7) All materials provided by litigants and others in connection with claim bills shall be submitted in a digital form prescribed by the Secretary.

4.9—Reference of resolutions

(1) Substantive resolutions shall be referred by the President to a standing committee.

(2) Resolutions that may be considered without reference to a committee include those addressing:

- (a) Senate organization,
- (b) condolence and commemoration that are of a statewide nonpolitical significance, and
- (c) concurrent resolutions recalling a bill from the Governor's office, adopting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto.

The resolutions listed in subsection (2) may be considered and read twice on the same day on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

(3) A joint resolution setting an effective date for a bill passed over the Governor's veto may be considered on motion and introduced without reference.

4.10—Reference to different committee or removal

After the President has referred a bill, the Rules Chair may move for reference to a different committee or for removal from any committee after the introducer of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the Rules Chair, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

See FLA. CONST. art. III, s. 7 Passage of bills.

4.13—Reading of concurrent resolutions and memorials

(1) Each concurrent resolution or memorial shall receive two (2) separate readings by title on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present.

(2) Concurrent resolutions recalling a bill from the Governor's office, adopting Joint Rules of the Legislature, extending a session of the Legislature, or setting an effective date for a bill passed over the Governor's veto may be read a first (1st) and second (2nd) time, and adopted on the same day.

4.14—Reading of Senate resolutions

Unless referred to a standing committee, on introduction, each Senate resolution shall be read two (2) times on the same day by title only before the question is put on adoption by voice vote.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except as provided under Rule 4.8) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not fewer than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Procedure to establish Special Order Calendars and Consent Calendars

(1) Commencing fifteen (15) days prior to a regular session and continuing through any extension thereof, the Rules Chair, Majority Leader, and Minority Leader shall together submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order in which such bills appear on the published Special Order Calendar.

(2) A Special Order Calendar submitted for the first (1st) day, second (2nd) day, or last fourteen (14) days of a regular session shall be published in one (1) daily calendar and may be considered on the day of publication. A Special Order Calendar for any other day during a regular session shall be published in two (2) daily calendars and may be considered on the second (2nd) day of publication.

- (a) Bills that had been scheduled for a Special Order Calendar for a previous sitting may be included in the next Special Order Calendar. No other bills shall be considered until this Special Order Calendar has been completed by the Senate.
- (b) A bill appearing on a Special Order Calendar may be stricken by a two-thirds (2/3) vote of those Senators present.
- (c) A bill appearing on the calendar of bills on second (2nd) reading may be added to the end of the Special Order Calendar by a two-thirds (2/3) vote of Senators present.
- (d) All bills set as Special Orders for consideration at the same hour shall take precedence in the order in which they were given preference.
- (e) A Special Order Calendar may not be submitted by the Rules Chair, Majority Leader, and Minority Leader and considered by the Senate on the same day.

(3) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule.

(4) Notice of date, time, and place for the establishment of the Special Order Calendars shall be published in at least one (1) Senate calendar or by announcement from the floor.

(5) The Rules Chair, with the approval of the President, may submit a Consent Calendar, to be held in conjunction with the Special Order Calendars.

- (a) When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance.
- (b) Amendments shall be limited to accompanying committee amendments, noncontroversial and technical amendments, and amendments required to conform a House companion bill to the Senate bill.

- (c) When a Senator objects to consideration of a bill on a Consent Calendar, the bill shall be removed from the Consent Calendar but retain its order on the Second (2nd) Reading Calendar.
- (d) All Consent Calendar bills must have appeared in at least one (1) daily calendar.

4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Rules Chair and approved by the President. Any member of the delegation for the local area affected by a bill on the Local Bill Calendar may request that the bill be removed from such calendar.

4.19—Order after second (2nd) reading

(1) After a Senate bill has been read a second (2nd) time and amended and all questions relative to it have been disposed of, it shall be referred to the engrossing clerk to be immediately engrossed. It shall then be placed on the calendar of bills on third (3rd) reading to be considered during the next Senate sitting.

(2) Amendments filed with the Secretary, but not formally moved, shall not be construed as pending and shall not deter advancement of a bill to third (3rd) reading.

(3) A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending.

(4) Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached in the proper order and read by title as directed by the President.

4.20—Enrolling

The Secretary shall be responsible for the enrolling of all Senate bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

See FLA. CONST. art. III, s. 7 Passage of bills.

4.21—Veto messages

All veto messages shall be referred to the Rules Committee.

See FLA. CONST. art. III, s. 8 Executive approval and veto.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a voice vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. This system may also be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the board and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all Senators voted?" And, after a short pause, shall state: "The Secretary shall now lock the board and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

See FLA. CONST. art. III, s. 4(c) Quorum and procedure.

5.2—Change of vote; votes after a roll call; vote verification

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or cast a late vote on the matter.

(2) Records of vote change and after the roll call requests shall be available at the Secretary's desk throughout the day's sitting.

(3) The original roll call shall not be altered, but, if no objections are raised before the close of business that day, timely filed changes of votes and votes after the roll call shall be accepted and recorded under the original roll call in the Journal.

(4) No such change of vote or vote after the roll call request shall be accepted if such vote would alter the result of the vote on final passage of the matter until the matter shall first have been returned to the desk and reconsidered.

(5) On request of a Senator before considering other business, the President shall order a verification of a vote.

5.3—Casting vote for another

(1) No Senator shall cast a vote for another Senator unless the Senator is present in the Chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator.

(2) A Senator who shall, without such authorization, vote or attempt to vote for another Senator may be punished as the Senate may deem proper.

(3) A person not a Senator who votes in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Repealed

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

(1) Procedural motions may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate.

(2) The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To reconsider and leave pending a main question
See Rule 6.4—Reconsideration generally.
- (b) To adjourn
 - 1. At a time certain
 - 2. Instantly
See FLA. CONST. art. III, s. 3(e) Sessions of the legislature.
- (c) To recess
- (d) Questions of privilege
See Rule 8.11—Questions of privilege.
- (e) To proceed to the consideration of executive business
- (f) To reconsider
See Rule 6.4—Reconsideration generally.

- (g) To limit debate
See Rule 8.6—Limitation on debate.
- (h) To temporarily postpone
See Rule 6.11—Temporarily postpone.
- (i) To postpone to a day certain
- (j) To commit to the Committee of the Whole
See Rule 4.4—Committee of the Whole.
- (k) To commit to a standing committee
- (l) To commit to a select committee
- (m) To amend
See Rule 7—Amendments.
- (n) To postpone indefinitely
See Rule 6.9—Motion to indefinitely postpone.

which shall have precedence in the descending order given.

(2) A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(3) The President shall present all questions in the order in which they are moved unless the subsequent motion is of a higher precedence.

(4) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered concurrently and the substitute shall be in the same order of precedence.

(5) Motions for the previous question and to lay on the table shall not be entertained.

6.3—Division of question

(1) A Senator may move for a division of a question when the sense will admit of it, which shall be decided by a majority vote.

(2) A motion to delete and insert shall be deemed indivisible; a motion to delete, being lost, shall neither preclude amendment nor a motion to delete and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the day the matter was decided or on the next day on which the Senate sits.

- (a) If the question has been decided by voice vote, any Senator may move for reconsideration thereof.
- (b) When a majority of those Senators present vote in the affirmative on the question but the proposition is lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion to reconsider may be made prior to or pending a motion to recess or adjourn.

(3) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate at its next sitting and, unless taken up under the proper order of business on that day by motion of any Senator, shall be deemed abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.

(4) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day and time it is offered.

6.5—Reconsideration; vote required

The affirmative votes of a majority of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable, no Senator shall speak thereon more than once or longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day and at the same time it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of a motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and immediately certify any bill to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days of a regular session and during any extensions thereof, or during a special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted by the Secretary forthwith.

See Rule 6.4—Reconsideration generally.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

6.10—Committee substitute; withdrawn

Once a bill has been reported as a committee substitute, it may be withdrawn from further consideration only by motion of the introducer and unanimous consent of the Senators present.

6.11—Temporarily Postpone

(1) The motion to temporarily postpone shall be decided without debate and shall cause a measure to be set aside but retained on the desk.

(2) If a main question has been temporarily postponed after having been debated or after motions have been applied and is not brought back up during the same sitting, it shall be placed under the order of unfinished business on the Senate calendar. If a main question is temporarily postponed before debate has commenced or motions have been applied, its reading shall be considered a nullity and the bill shall retain its original position on the order of business during that sitting; otherwise, the bill reverts to the status of bills on second (2nd) or third (3rd) reading, as applicable.

(3) The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending.

(4) If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the Senate in the course of consideration of the adhering or main question, it shall be deemed abandoned.

RULE SEVEN
AMENDMENTS

7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar shall be considered by the Senate unless the amendment was prepared in proper form and filed with the Secretary no later than 5:00 p.m. the day before it is to be offered at a sitting. Copies of such amendments shall be made reasonably available by the Secretary before the sitting, upon request, to the Senators and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present, if any member requests that such vote be taken.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted in the form of an amendment.

(4) The following bills are out of order and shall not be admitted or considered in the form of an amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills that have received an unfavorable committee report.
- (b) Bills that have been withdrawn from further consideration by the introducer.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills that have not been published in at least one (1) daily calendar under Bills on Second (2nd) Reading.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

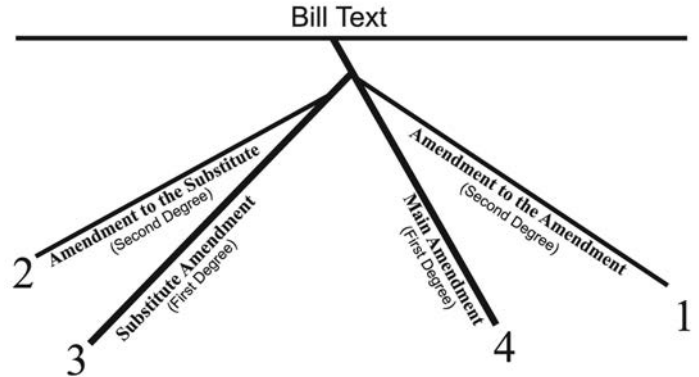
(2) On third (3rd) reading, amendments and amendments to amendments, including substitute amendments and amendments to the substitute, shall be adopted by a two-thirds (2/3) vote of those Senators present.

(3) Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such

amendments are to be disposed of in the following order:



- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

(3) Amendments of the third (3rd) degree are out of order.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause of a bill, or the resolving clause of a resolution, and insert new language of the same or related subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal, except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is transmitted to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may consider the following motions in order of their precedence:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may consider the following motions in order of their precedence:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT**DECORUM AND DEBATE****8.1—Decorum and debate**

(1) When a Senator desires to speak or present a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to “Mr. or Madam President” and, on being recognized, may address the Senate from his or her desk or from the well of the Senate and shall confine any remarks to the question under debate, avoiding personality.

(2) A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of “Senator” or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer’s power of recognition

When two (2) or more Senators rise at once, the presiding officer shall recognize the Senator who is to speak first.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a Senator is speaking and another Senator interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the Senator desires to raise is entitled to precedence, the Senator originally speaking shall relinquish the floor until the question having precedence is disposed of. The Senator then is entitled to resume the floor.

(2) The Senator making a debatable motion or the introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation on debate

When a matter is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the matter on which debate would be limited shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate

shall be limited accordingly. Debate may be further extended by a majority vote.

8.7—Points of order, parliamentary inquiry, definitions

(1) A “point of order” is the parliamentary device used to require a deliberative body to observe its own rules and to follow established parliamentary practice.

(2) A “parliamentary inquiry” is a request for information from the presiding officer:

- (a) About business pending or soon to be pending before the Senate; or
- (b) A device for obtaining a predetermination of a rule or a clarification thereof which may be presented in hypothetical form.

8.8—Questioning decision not to abstain

A point of order questioning the decision of a Senator not to abstain from voting on account of a conflict of interest may be raised after the vote has been recorded and before the result is announced.

See Rule 1.20—Attendance, voting, and disclosure of conflicts.

See Rule 1.39—Disclosure of conflict of interest and prohibition on voting thereon.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

(1) Questions of privilege have two (2) forms:

- (a) Privilege of the Senate—Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
- (b) Privilege of a Senator—The rights, reputation, and conduct of Senators individually, in their representative capacity only.

(2) These shall have precedence over all other questions except motions to adjourn or recess. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual Senator.

RULE NINE**LOBBYING****9.1—Those required to register**

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida Legislature.

9.2—Obligations of lobbyist

(1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

(2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.

(3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.35—Contributions during sessions

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator's own campaign, or to any organization that is registered, or should have been registered, with the Rules Committee pursuant to Rule 1.361(3).

9.4—Advisory opinions

(1) A lobbyist, when in doubt about the applicability and interpretation of Rule Nine (9) in a particular context, may submit in writing a statement of the facts involved to the Rules Committee and may appear in person before said committee.

(2) The Rules Committee may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal.

9.5—Compilation of opinions

The Secretary shall compile all advisory opinions of the Rules Committee.

9.6—Violations; investigations, penalties

(1) Any person may file a sworn complaint with the Rules Chair alleging a violation of the Rules regulating the conduct and ethics of lobbyists. The complaint shall be based on personal knowledge, shall state detailed facts, shall specify the actions of the named lobbyist which form the basis for the complaint, and shall identify the specific Rule alleged by the complainant to have been violated by the lobbyist. Upon a determination by the Rules Chair that the complaint states facts supporting a finding of probable cause, the complaint shall be referred to a special master. Upon a determination by the chair that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed. The special master shall conduct an investigation, shall give reasonable notice to the lobbyist who is alleged to have violated the Rules, and shall grant the lobbyist an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's report and recommendation is advisory only and shall be presented to the chair as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Rules Chair. If the complaint is not dismissed, the Rules Committee shall consider the special master's report and recommendation, shall grant the lobbyist an opportunity to be heard, and shall develop its own recommendation. If the Rules Committee votes to dismiss the complaint, the Rules Chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Rules Committee shall be presented to the President. The President shall present the committee's recommendation, along with the special master's report and recommendation, to the Senate for final action.

(2) Any person determined to have violated the requirements of Rule Nine (9) shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any Senate committee. Such determination shall be made by a majority vote of the Senate, on recommendation of the Rules Committee.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed to the requirements of Rule Nine (9), the Joint Rules, and any other applicable law, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

9.8—Lobbyist expenditures and compensation

Chapter 2005-359, *Laws of Florida*, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly stated exceptions, so that Senators and Senate employees can no longer directly or indirectly take any "expenditure" from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that "lobbying firms" must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly tailored, furthers the state's compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A Senator may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*.... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida's gift law, section 112.3148, *Florida Statutes*, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

“*Expenditure*” is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

“*Lobbying*,” in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication (“active lobbying”); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature (“goodwill”).

“*Goodwill expenditure*” is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or indirectly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A “*lobbyist*” is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

“*Personal benefit*” means a profit or gain pertaining to, directed toward, or affecting a person.

A “*principal*” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third-party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

TEST FOR DETERMINING LEGALITY OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist’s or principal’s intent to make or

convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist’s or principal’s item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm’s expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm’s invitation was extended to Legislator C’s spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N’s spouse and offers to pay for the spouse’s travel expenses. The lobbyist and Legislator N’s spouse know each other only through the lobbyist’s involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging, or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as

an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in section 112.312(12)(b), *Florida Statutes*, and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*, or its federal law counterpart; campaign-related personal services provided without compensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)(4) or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as "media advertising," "publications," "communications," and "research."

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of "active lobbying" (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to "instruct their representatives."

5. Office and Personal Expenses of Lobbyists and Principals

"Office expenses" and personal expenses of the lobbyist or principal for "travel," "lodging," and "food and beverages" as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is

provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida, is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro rata portion of a host's monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates that have no substantial inherent value other than recognizing the donee's public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in section 11.045, *Florida Statutes*, it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (section 112.3148, *Florida Statutes*) and the campaign finance law (chapter 106, *Florida Statutes*).

(2) Frequently Asked Questions

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., "Flavors of Hillsborough")?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee *provided* that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, provided the organization hosting the event is not a principal and none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can "legislative days" that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: "Legislative days" and other legislative events funded by lobbyist or principal dollars may continue *provided* no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through contributions solicited from lobbyists or principals who sponsor the reception or event?*

ANSWER: The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions / BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a "fundraiser"? Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, *Florida Statutes*. However, if the facts and circumstances demonstrate that calling the event a "fundraiser" is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida's campaign finance law (chapter 106, *Florida Statutes*).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator's or legislative employee's expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child's parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or indirectly. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for "floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session"?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (section 112.3148, *Florida Statutes*). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist's home, whether or not active lobbying occurs?*

ANSWER: Yes, provided the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator's and lobbyist's friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, provided the dinner is "Dutch treat."

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner "Dutch treat" at the Governor's Club?*

ANSWER: Yes, provided the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist's business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or

legislative employees, directly or indirectly. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for knowingly accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. "Knowingly" has many statutory definitions, including that a person: (1) has actual knowledge of the information; (2) acts in deliberate ignorance of the truth or falsity of the information; or, (3) acts in reckless disregard of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make reasonable inquiry as to the source of the proposed expenditure to determine whether it is prohibited. Reasonableness will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, at a minimum, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, at a minimum, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, provided the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization. However, any such salary,

benefit, services, fees, commissions, gifts, or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a non-profit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a non-profit group host its own charity golf tournament funded by lobbyist or principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

ANSWER: Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, provided the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant at Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Chapter 2005-359, *Laws of Florida*, for the first time, requires the reporting of compensation received by lobbying firms for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, not the individual lobbyists in the firm (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. Compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as "media fees," "consulting services," "professional services," "governmental services," and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for lobbying activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation report and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in section 837.06, *Florida Statutes*, for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a "lobbying firm" as defined in section 11.045(1)(g), *Florida Statutes*. Only "lobbying firms" must report compensation as provided in section 11.045(3)(a), *Florida Statutes*.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable "compensation" under the law must be provided to a "lobbying firm," and not contracted or subcontracted through some "straw man" to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of "compensation" in section 11.045(1)(b), *Florida Statutes*, as "anything of value provided or owed to a lobbying firm."

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is sitting except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former Governors, present and former United States Senators, present and former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9). During a sitting, no person admitted under this Rule shall engage in any lobbying activity for or against any measure under consideration in the Senate.

10.3—Admission of media by President

Members of the media, in performance of their duties, shall be assigned to a section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is sitting, except with the approval of the President.

10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is sitting.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN**CONSTRUCTION AND WAIVER OF RULES****11.1—Interpretation of Rules**

It shall be the duty of the President, or the temporary presiding officer, to interpret all Rules.

11.2—Waiver and suspension of Rules

(1) These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate.

(2) A motion to waive a Rule requiring unanimous consent of the Senate shall require unanimous consent of those Senators present for approval.

11.3—Changes in Rules

(1) All proposed revisions of the Senate Rules shall be first referred to the Rules Committee, which shall report as soon as practicable. Consideration of such a report shall always be in order.

(2) The Rules Committee may originate reports and resolutions dealing with the Senate Rules and the Order of Business which may be approved by a two-thirds (2/3) vote, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by the Senate Rules or the *State Constitution*, all action by the Senate or any of its committees or subcommittees, including references to members or Senators present, shall be by majority vote of those Senators present and voting.

See FLA. CONST. art. X, s. 12(e) Rules of construction.

11.5—Uniform construction

When in the Senate Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present and voting, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in the Senate Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided or where the context indicates otherwise, the use of the word “bill,” “measure,” “question,” or “matter” means a bill, joint resolution, concurrent resolution, resolution, or memorial; however, “matter” also means an amendment, an appointment, or a suspension.

11.7—Sources of procedural authority

The latest edition of *Mason’s Manual of Legislative Procedure*, *Jeferson’s Manual*, or other manuals of comparable legislative application may be consulted, but shall not be binding, when a question of parliamentary procedure is not addressed by the *State Constitution*, these Rules, Joint Rules, or prior rulings of the presidents.

RULE TWELVE**EXECUTIVE SESSIONS, APPOINTMENTS,
SUSPENSIONS, AND REMOVALS****PART ONE—EXECUTIVE SESSIONS****12.1—Executive session; authority**

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Executive session; work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

12.5—Executive session; separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

**PART TWO—APPOINTMENTS, SUSPENSIONS, AND
REMOVALS****12.7—Procedure; generally**

Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Ethics and Elections Committee, other appropriate committee or committees, or a special master appointed by the President. Any such committee, subcommittee, or special master shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee, subcommittee, or special master appointed pursuant hereto are advisory only and shall be made to the President. The report of the committee, subcommittee, or special master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Rules Committee for its consideration and report. When the report is presented to the Senate during an open sitting or received by the Rules Committee, the report shall lose its privileged and confidential character.

12.8—Procedure on executive appointments

(1) Upon receipt of a request from the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal. The appointee whose appointment was returned continues in office until the end of the next ensuing regular session of the Legislature or until the Senate confirms a successor, whichever occurs first.

(2) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.

(3) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.

12.9—Procedure upon receipt of an executive suspension

(1) Unless suspension proceedings are held in abeyance, the committee, subcommittee, or special master shall institute action by transmitting a notice of hearing for a prehearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. The Governor and the suspended official shall be given reasonable notice in writing of any hearing or prehearing conference before the committee, subcommittee, or special master. If the Governor files an amended suspension order, the attention of the Senate, committee, subcommittee, or special master shall be directed at the amended suspension order.

(2) An executive suspension of a public official who has pending against him or her criminal charges, or an executive suspension of a public official that is challenged in a court shall be referred to the Ethics and Elections Committee, other appropriate committee, or special master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, committee, subcommittee, or special master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above. The committee, subcommittee, or special master shall institute action within three (3) months after the conclusion of any pending proceedings. In a suspension case in which the criminal charge is a misdemeanor, the committee, subcommittee, or special master and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(3) The committee, subcommittee, or special master may provide for a prehearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, photocopies of all documentary evidence, and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence. The suspended official may file with the Secretary, no later than ten (10) days prior to the first (1st) prehearing conference, or no later than the date set by the committee, subcommittee, or special master if no prehearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(4) When it is advisable, the committee, subcommittee, or special master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after receipt of the Governor's bill of particulars, the suspended officer shall file a response with the committee, subcommittee, or special master. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(5) The Senate may act on the recommendations of the committee, subcommittee, or special master at any time it is sitting but shall do so no later than the end of the next regular session of the Legislature.

(6) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee, subcommittee, or special master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee, subcommittee, or special master may dispose of such exhibits or other evidence.

See FLA. CONST. art. IV, s. 7(b) Suspensions; filling office during suspensions.

12.10—Adjudication of guilt not required to remove suspended officer

For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

12.11—Special master; appointment

The President may appoint and contract for the services of a special master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.12—Special master; floor privilege

With consent of the President, the special master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.13—Issuance of subpoenas and process

The committee, subcommittee, and special master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair, subcommittee chair, and special master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee, subcommittee, or special master.

12.14—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, Rule Twelve (12), derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN**SPECIAL SESSION****13.1—Applicability of Senate Rules**

All Senate Rules shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sittings of the Senate

The Senate shall convene pursuant to a schedule provided by the President or at the hour established by the Senate at its last sitting.

13.3—Committee meetings; schedule, notice

(1) Committee meetings shall be scheduled by the President.

(a) Meetings of committees scheduled in accordance with this Rule may be held after notice is published on the Senate website and posted on the Senate side of the fourth (4th) floor rotunda on the fourth (4th) floor of the Capitol for two (2) hours in advance of the meeting. If possible, such notice shall appear in the daily calendar.

- (b) A committee may meet less than two (2) hours after the convening of a special session if a notice is filed with the Secretary by 5:00 p.m. of the day prior to the meeting.

(2) The notice shall include the date, time, and place of the meeting together with the name of the introducer, subject, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills for introduction may be delivered to the Secretary at any time.

13.5—Committee reports

(1) Bills referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day after the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present.

(2) Any bill on which no committee report is filed as required above may be withdrawn from such committee and placed on the Calendar of Bills on Second (2nd) Reading on a point of order.

(3) Bills referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a conference committee appointed pursuant to Rule 1.5 shall be read to the Senate and, on the completion of the reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees, other than a conference committee on a general or special appropriations bill and its related legislation, shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event, the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either house.

(5) When conferees on the part of the Senate report an inability to agree, any action of the Senate taken prior to such reference to a conference committee shall not preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day when made.

13.8—Procedure to establish Special Order Calendars

(1) The Rules Chair, Majority Leader, and Minority Leader shall together submit a Special Order Calendar determining the list of bills for consideration by the Senate. The President shall determine the order in which such bills appear on the published Special Order Calendar.

See Rule 4.16—Consideration out of regular order.

(2) Such Special Order Calendar shall be published in one (1) daily calendar and may be considered on the day published. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, whichever occurs later.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof may be used only in connection with official Senate business.

COMMITTEES OF THE SENATE

(With Revisions)

Agriculture

Senator Montford, Chair; Senator Bullard, Vice Chair; Senators Brandes, Galvano, Garcia, Grimsley and Sachs

Appropriations

Senator Negron, Chair; Senator Benacquisto, Vice Chair; Senators Bean, Bradley, Galvano, Gardiner, Grimsley, Hays, Hukill, Latvala, Margolis, Montford, Richter, Ring, Smith, Sobel and Thrasher

Appropriations Subcommittee on Criminal and Civil Justice

Senator Bradley, Chair; Senator Joyner, Vice Chair; Senators Altman, Braynon, Clemens, Dean, Diaz de la Portilla, Flores, Garcia, Grimsley, Hays, Smith and Soto

Appropriations Subcommittee on Education

Senator Galvano, Chair; Senator Montford, Vice Chair; Senators Abruzzo, Bean, Benacquisto, Bullard, Detert, Hukill, Legg, Richter, Sachs, Simmons and Thrasher

Appropriations Subcommittee on Finance and Tax

Senator Hukill, Chair; Senator Ring, Vice Chair; Senators Abruzzo, Altman, Brandes, Clemens, Diaz de la Portilla, Evers, Gardiner, Margolis, Sachs and Simmons

Appropriations Subcommittee on General Government

Senator Hays, Chair; Senator Thompson, Vice Chair; Senators Bradley, Braynon, Bullard, Dean, Detert, Joyner, Latvala, Legg, Simpson, Soto and Stargel

Appropriations Subcommittee on Health and Human Services

Senator Grimsley, Chair; Senator Flores, Vice Chair; Senators Bean, Benacquisto, Galvano, Garcia, Gibson, Lee, Montford, Richter, Smith, Sobel and Thrasher

Appropriations Subcommittee on Transportation, Tourism, and Economic Development

Senator Gardiner, Chair; Senator Margolis, Vice Chair; Senators Brandes, Evers, Gibson, Latvala, Lee, Ring, Simpson, Sobel, Stargel and Thompson

Banking and Insurance

Senator Simmons, Chair; Senator Clemens, Vice Chair; Senators Benacquisto, Detert, Diaz de la Portilla, Hays, Lee, Margolis, Montford, Negron, Richter and Ring

Children, Families, and Elder Affairs

Senator Sobel, Chair; Senator Hays, Vice Chair; Senators Altman, Braynon, Clemens, Dean, Detert, Diaz de la Portilla, Grimsley and Thompson

Commerce and Tourism

Senator Detert, Chair; Senator Abruzzo, Vice Chair; Senators Bean, Hays, Hukill, Margolis, Richter, Ring, Simpson, Stargel and Thompson

Communications, Energy, and Public Utilities

Senator Flores, Chair; Senator Garcia, Vice Chair; Senators Abruzzo, Bean, Evers, Gibson, Hukill, Simpson and Smith

Community Affairs

Senator Simpson, Chair; Senator Thompson, Vice Chair; Senators Bradley, Hukill, Latvala, Smith, Soto, Stargel and Thrasher

Criminal Justice

Senator Evers, Chair; Senator Smith, Vice Chair; Senators Altman, Bradley, Dean, Gibson and Simmons

Education

Senator Legg, Chair; Senator Montford, Vice Chair; Senators Benacquisto, Brandes, Bullard, Galvano, Sachs, Simmons and Stargel

Environmental Preservation and Conservation

Senator Dean, Chair; Senator Abruzzo, Vice Chair; Senators Altman, Bullard, Gardiner, Grimsley, Latvala, Simpson and Soto

Ethics and Elections

Senator Latvala, Chair; Senator Sobel, Vice Chair; Senators Benacquisto, Braynon, Clemens, Diaz de la Portilla, Flores, Gardiner, Joyner, Lee, Legg, Soto and Thrasher

Gaming

Senator Richter, Chair; Senator Sachs, Vice Chair; Senators Benacquisto, Braynon, Clemens, Dean, Galvano, Gardiner, Latvala, Lee, Margolis, Montford and Thrasher

Governmental Oversight and Accountability

Senator Ring, Chair; Senator Hays, Vice Chair; Senators Bean, Benacquisto, Bradley, Hukill, Montford, Simmons and Smith

Health Policy

Senator Bean, Chair; Senator Sobel, Vice Chair; Senators Brandes, Braynon, Flores, Galvano, Garcia, Grimsley and Joyner

Judiciary

Senator Lee, Chair; Senator Soto, Vice Chair; Senators Bradley, Gardiner, Joyner, Latvala, Richter, Ring and Thrasher

Military and Veterans Affairs, Space, and Domestic Security

Senator Altman, Chair; Senator Gibson, Vice Chair; Senators Abruzzo, Bullard, Dean, Evers, Gardiner, Legg and Sachs

Regulated Industries

Senator Stargel, Chair; Senator Braynon, Vice Chair; Senators Detert, Flores, Galvano, Gibson, Legg, Sachs, Sobel and Thrasher

Rules

Senator Thrasher, Chair; Senator Smith, Vice Chair; Senators Benacquisto, Diaz de la Portilla, Galvano, Gardiner, Latvala, Lee, Margolis, Montford, Negron, Richter, Ring, Simmons and Sobel

Transportation

Senator Brandes, Chair; Senator Margolis, Vice Chair; Senators Clemens, Diaz de la Portilla, Evers, Garcia, Joyner, Lee, Richter and Thompson

Joint Legislative Committees:

Joint Administrative Procedures Committee

Senator Garcia, Alternating Chair; Senators Bullard, Detert, Diaz de la Portilla and Thompson

Joint Committee on Public Counsel Oversight

Senator Joyner, Alternating Chair; Senators Altman, Evers, Hukill and Stargel

Joint Legislative Auditing Committee

Senator Abruzzo, Alternating Chair; Senators Bradley, Hays, Ring and Simpson

Joint Select Committee on Collective Bargaining

Senator Hays, Co-Chair; Senators Benacquisto, Grimsley, Ring and Soto

Select Committees:

Select Committee on Patient Protection and Affordable Care Act

Senator Negron, Chair; Senator Sobel, Vice Chair; Senators Bean, Brandes, Flores, Gibson, Grimsley, Legg, Simmons, Smith and Soto

Other Legislative Entities:

Joint Legislative Budget Commission

Senator Negron, Alternating Chair; Senators Gardiner, Hays, Margolis, Richter, Smith and Thrasher

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 27, 2012, Extraordinary Apportionment Session, was corrected and approved.

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 3:20 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, March 12 or upon call of the President.

SENATE PAGES

March 4-8, 2013

Hannah Farmer, Parkland; Olivia Fiss, Tampa; Damarcus Henderson, Live Oak; Nicole Kotler, Delray Beach; Claudia Oppelt, Lakeland; Jazmyne Ordway, Holly Hill; Carly Owens, Jay; Kodie Quirin, Live Oak; Franco Rivera, Kissimmee; William Shanahan, Live Oak; Taralynn Thompson, Tallahassee



Journal of the Senate

Number 2—Regular Session

Thursday, March 7, 2013

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REPORTS OF COMMITTEES

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 948

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

The Committee on Community Affairs recommends the following pass: CS for SB 322; CS for SB 458; SB 520

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Judiciary recommends the following pass: SB 294; SB 746

The bills were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 562

The Committee on Community Affairs recommends the following pass: SB 856

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 354

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 326

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 124

The Committee on Health Policy recommends the following pass: SB 1258

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 640; SB 906

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Health Policy recommends the following pass: SB 422

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Judiciary recommends the following pass: SB 736

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 716

The bills contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Judiciary recommends the following pass: SB 592

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 444

The Committee on Health Policy recommends the following pass: CS for SB 258 with 1 amendment

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 142

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

The Committee on Judiciary recommends the following pass: SB 832

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

The Committee on Health Policy recommends the following pass: SB 604

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

The Committee on Appropriations recommends the following pass: SB 352

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 244

The Committee on Rules recommends the following pass: SB 994

The bills were placed on the Calendar.

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 446; SB 572

The bills with committee substitute attached were referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 536

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 416

The Committee on Judiciary recommends a committee substitute for the following: SB 286

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 848

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

The Committee on Health Policy recommends a committee substitute for the following: SB 612

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 714

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 794

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 52

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

The Committee on Rules recommends a committee substitute for the following: CS for SB 50

The bill with committee substitute attached was placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: SB 338

Appropriations Subcommittee on General Government recommends the following pass: CS for SB 364

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

For Term Ending

Executive Director of Department of Veterans' Affairs

Appointee: Prendergast, Kenneth Lee Michael "Mike", Jr.

Pleasure of Governor and Cabinet

The appointment was referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Montford—

SB 1388—A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; providing district school board duties relating to the collection of fees from publishers or manufacturers and procedures for reviewing and approving instructional materials; defining the term "instructional materials" for purposes of review; repealing s. 1006.282, F.S., relating to a pilot program for the transition to electronic and digital instructional materials; amending s. 1006.29, F.S.; providing for Department of Education instructional materials reviewers; providing procedures for department review and approval of instructional materials; authorizing the department to compensate reviewers; deleting provisions relating to adoption of instructional materials; requiring the department to publicize adopted instructional materials; amending s. 1006.30, F.S., relating to an affidavit made by instructional materials reviewers, to conform; amending s. 1006.31, F.S.; providing duties of department and school district instructional materials reviewers; requiring a reviewer to use specified standards to determine the propriety of an instructional material; amending s. 1006.32, F.S.; providing prohibited acts for department and district instructional materials reviewers; repealing s. 1006.33, F.S., relating to bids or proposals by publishers or manufacturers; amending s. 1006.34, F.S.; providing duties of the State Board of Education relating to evaluating instructional materials; authorizing the collection of fees from publishers or manufacturers; deleting provisions relating to selection and adoption of instructional materials and publisher or manufacturer contracts, bonds, and deposits; amending s. 1006.35, F.S., relating to the accuracy of instructional materials, to conform; amending s. 1006.36, F.S.; providing for a state review cycle and schedule; repealing s. 1006.37, F.S., relating to the requisition of instructional materials from a publisher's depository; amending s. 1006.38, F.S.; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising provisions relating to the use of the instructional materials allocation by district school boards; amending ss. 1001.10, 1003.55, 1003.621, and 1011.62, F.S.; conforming provisions; repealing s. 1010.82, F.S., relating to the Textbook Bid Trust Fund; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Montford—

SB 1390—A bill to be entitled An act relating to charter schools; providing a short title; providing legislative findings and intent; creating the Florida Innovation Zone Schools Act to allow school districts to designate certain schools to serve as incubators of innovation and transformation of public education; requiring such schools to personalize education for each student; exempting innovation zone schools from ch. 1000-1013, F.S., subject to certain exceptions; providing guiding principles by which the innovation zone schools should function; establishing elements of the program; providing that a participating school district

has autonomy in certain areas; amending s. 196.1983, F.S.; granting school district programs the ad valorem tax exemption given to charter schools and creating certain restrictions on the exempt property; requiring a landlord to certify compliance by affidavit; restricting the use of capital outlay funds for property improvements if the property is exempt from ad valorem taxes; amending s. 1002.31, F.S.; providing a calculation for compliance with class size maximums for a public school of choice or an innovation zone school; amending s. 1002.33, F.S.; conforming a cross-reference; modifying requirements for charter school applications; creating new reporting requirements for charter schools regarding governance, fees, and students; providing a funding requirement for a student who transfers between a charter school and district school; authorizing a district school board to negotiate an appropriate usage fee based on market value for unused space; deleting a prohibition on rental or leasing fees on existing public schools that convert to charter schools; prohibiting a charter school from selling or renting out property from a school district without written permission of the school district; providing that certain recommendations from the department are not binding on a school district; restricting use of capital outlay funds; deleting restrictions on withheld administrative fees; amending s. 1002.345, F.S.; restricting charter schools or technical career centers having financial problems from certain activities and requiring disclosure of such financial problems on subsequent applications; creating s. 1003.622, F.S.; providing legislative intent; recognizing academically high-performing school choice districts and granting them flexibility; qualifying an academically high-performing school choice district; exempting such districts from ch. 1000-1013, F.S., subject to certain exceptions; exempting such districts from certain ad valorem taxes and other requirements; requiring an academically high-performing school choice district to submit an annual report to the State Board of Education and the Legislature; specifying requirements for such report; amending 1010.305, F.S.; extending student enrollment auditing procedures to charter schools; providing that a school district or charter school may request an expedited review by the Auditor General; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simpson—

SB 1392—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; revising the definition of “vested” or “vesting”; providing that a member initially enrolled in the Florida Retirement System after a certain date is vested in the pension plan after 10 years of creditable service; amending s. 121.051, F.S.; providing for compulsory membership in the Florida Retirement System Investment Plan for employees in the Elected Officers’ Class or the Senior Management Service Class initially enrolled after a specified date; conforming cross-references to changes made by the act; amending s. 121.052, F.S.; prohibiting members of the Elected Officers’ Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; prohibiting an elected official eligible for membership in the Elected Officers’ Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Optional Annuity Program to new members after a specified date; amending s. 121.091, F.S.; providing that certain members are entitled to a monthly disability benefit; revising provisions to conform to changes made by the act; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; revising the definition of “member” or “employee”; revising a provision relating to acknowledgement of an employee’s election to participate in the investment plan; placing certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; authorizing certain employees to elect to participate in the pension plan, rather than the default investment plan, within a specified time; providing for the transfer of certain contributions; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; conforming provisions and cross-references to changes made by the act; amending s. 121.591, F.S.; revising provisions relating to disability retirement benefits; amending s. 121.71, F.S.; decreasing the employee retirement contribution rates for investment plan members; amending ss. 121.35, 238.072, 413.051, and 1012.875, F.S.; conforming cross-references; providing for contribution

rate increases to fund the changes made by this act; directing the Division of Law Revision and Information to adjust contribution rates set forth in s. 121.071, F.S.; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Appropriations.

By Senator Hukill—

SB 1394—A bill to be entitled An act relating to motorsports entertainment complexes; creating s. 212.094, F.S.; providing definitions; providing an exemption from the sales and use tax for building materials used in the construction, reconstruction, expansion, or renovation of certain certified motorsports entertainment complexes through a refund of previously paid taxes; providing procedures for applying for authority to earn a tax refund; providing procedures for certifying a refund for completed projects; providing procedures for applying for a refund; providing audit authority and procedures for recapturing refunds under specified circumstances; providing rulemaking authority; providing for specified reductions in certain local government half-cent sales tax distributions; creating s. 212.0943, F.S.; authorizing a motorsports entertainment complex to apply for a tax refund of sales and use taxes; limiting the expenditure of such funds provided to a certified applicant to specified public purposes; authorizing the Department of Economic Opportunity to audit the expenditure of such funds and to pursue recovery of improperly expended funds; creating s. 212.0944, F.S.; providing that a master developer of a certified motorsports entertainment complex is eligible for a sales tax refund of a specified percentage of any increase in sales tax collections within the complex over a specified base year; providing procedures, requirements, and limitations with respect to the acquisition and use of such tax refunds; limiting the availability of such refunds to a specified period; defining the term “master developer”; authorizing the Department of Economic Opportunity to audit the expenditure of such funds and to pursue recovery of improperly expended funds; amending s. 212.20, F.S.; providing that a certified motorsports entertainment complex applicant may not receive certain sales tax distributions in excess of the expenditures the applicant has made for specified public purposes; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; Appropriations; and Rules.

By Senator Bean—

SB 1396—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; authorizing the Commissioner of Education, with the approval of the State Board of Education, to authorize a school district to apply to establish a charter school under certain circumstances; revising the duties of a sponsor and the charter school to require them to use uniform model contracts developed by the Department of Education; providing that a sponsor is not liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of the governing board, rather than the governing body, of the charter school; conforming terminology; revising the requirements for a charter school application; revising provisions relating to the timely submission of charter school applications; requiring a sponsor to annually report certain statistics regarding charter school applications; providing that an administrative law judge has final-order authority to rule on certain issues regarding a charter school; authorizing a charter school to provide virtual instruction without approval from the school district; providing a restriction relating to a required certificate of occupancy; conforming terminology; establishing student academic achievement as a priority in determining charter renewals and terminations; conforming terminology; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; providing that the random selection process for admission to a charter school is public; requiring new members of a governing board of a charter school to attend the Florida Charter School Conference; exempting members of a governing board of a high-performing charter school from attending the conference; revising provisions relating to determination of a charter school’s student enrollment; conforming terminology; providing restrictions on the membership of a governing board; prohibiting a charter school from entering into a contract with a charter school employee under certain circumstances; revising provi-

sions requiring charter school compliance with statutes relating to education personnel compensation, contracts, and performance evaluations and workforce reductions; conforming terminology; requiring that federal education funding be paid directly to a charter school; requiring a sponsor to provide information services to charter schools, including electronic information systems containing data that a charter school is required to report to the school district; providing that only the State Board of Education may adopt rules regarding charter schools; prohibiting school districts from adopting rules or adding provisions into a charter contract; amending s. 1002.331, F.S.; providing that a virtual charter school is eligible for designation as a high-performing charter school; revising the activities that a high-performing charter school may undertake; providing requirements for modification of the charter of a high-performing charter school; providing for withdrawal of a charter school's designation as a high-performing charter school; amending s. 1002.332, F.S.; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; providing for withdrawal of a charter school system's designation as a high-performing charter school system; amending s. 1013.62, F.S.; requiring the Legislature to annually fund charter schools' allocations from the Florida Education Finance Program; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Hukill—

SB 1398—A bill to be entitled An act relating to appraisers; amending s. 475.617, F.S.; defining a qualifying classroom hour; requiring all courses to be completed in a classroom or through an online course that has received certain approvals; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Montford—

SB 1400—A bill to be entitled An act relating to education accountability; amending s. 1002.395, F.S.; conforming a cross-reference; revising parents' responsibilities for participation in the Florida Tax Credit Scholarship Program; revising the eligibility requirements for a private school to participate in the scholarship program; revising the duties of the Department of Education relating to the scholarship program in the reporting of scores for standardized tests; authorizing a school district to inform certain households of scholarship eligibility; providing that a school district must verify the information reported on the status of the implementation of the assessment and reporting requirements by a participating private school or location designated by the school district; requiring the department to establish a fee structure to be paid by the participating private school for the administration of the required assessments; providing certain requirements for the fee; creating s. 1008.225, F.S.; providing a statement of purpose; requiring students in the Florida Tax Credit Scholarship Program to participate in the statewide program of educational assessment; authorizing students in other specified programs to participate in the statewide program of educational assessment; requiring the department to coordinate with program providers and applicable school districts to enable participating students to take statewide assessments; requiring each school district to administer statewide assessments to students participating in choice programs and report the assessment results and scores to parents, students, and applicable schools; requiring the department to annually report on the year-to-year learning gains of students participating in the programs; requiring the department to submit to the Governor and the Legislature the annual report and post it on its website; requiring the State Board of Education to adopt rules; creating s. 1008.226, F.S.; providing legislative findings and intent; providing for a student to enter a public school at any time following participation in a school-choice program; specifying the programs that constitute school-choice programs; requiring that the student take a nationally norm-referenced assessment test for diagnostic purposes and for purposes of placing the student in the appropriate classes or grade; requiring that each school district administer the assessment and report the results of the assessment to the student's parent and the applicable school-choice program or school; requiring that the Department of Education select the assessment and pay for it if requested by a school district; requiring that

the department submit an annual report to the Governor and Legislature by a specified date; providing requirements for the report; requiring that the department publish the annual report on its website; requiring that the State Board of Education adopt rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Stargel—

SB 1402—A bill to be entitled An act relating to damages for medical or health care services; creating s. 768.755, F.S.; limiting recovery of damages for medical or health care services to amounts actually paid if no balance to the provider is outstanding; limiting recovery of such damages to amounts customarily accepted by providers in the same geographic area if a balance to the provider is outstanding; requiring medical or health care services to be medically necessary in order to be recoverable; providing that a patient is not liable for payment of a procedure that is medically unnecessary and nonpayment may be asserted as an affirmative defense in any action to recover damages; specifying that certain evidence shall be considered in determining the amounts customarily accepted; providing for reduction of awards under specified provisions; providing for applicability; providing an effective date.

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

By Senator Stargel—

SB 1404—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; establishing a statute of limitations for criminal and civil causes of actions under the act; specifying circumstances that toll the statute of limitations; amending s. 921.0022, F.S.; increasing the severity of a violation of the act for purposes of the criminal punishment code; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Bean—

SB 1406—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.632, F.S.; conforming a cross-reference; amending s. 1001.42, F.S.; conforming a cross-reference; amending s. 1003.51, F.S.; revising the content of rules relating to expectations for education programs for youth in certain Department of Juvenile Justice programs; requiring that assessments of students in all juvenile justice programs be completed within a specified time period; specifying recommended instructional programs in juvenile justice education programs; increasing percentage of Florida Education Finance Program (FEFP) funds required to be spent on students in juvenile justice programs; requiring a certain percentage of specified federal funds to be spent on students in juvenile justice programs; requiring standardization of qualifications for juvenile justice education instructors across the state and procedures for use of non-certified instruction personnel; specifying minimum contract requirements for juvenile justice education programs; authorizing immediate sanctions for district school boards whose juvenile justice education programs are considered unsatisfactory; specifying minimum contract requirements for the delivery of education services to youth in juvenile justice programs; requiring the Department of Juvenile Justice to ensure that school district personnel are trained to manage and monitor contracts for juvenile justice education programs; requiring the Department of Juvenile Justice, district school boards, and education providers to maintain a student's education transition plan and career and technical accomplishments as part of a student's education record; funding a program to pay GED testing fees for youth in juvenile justice education programs and ensuring that eligible youth have access to GED testing; deleting provision requiring district school boards or Florida College system institutions to waive GED testing fees for youth in juvenile justice programs, designate schools as GED testing centers, or pay administrative fees for the GED test; requiring the Department of Education to establish an accountability system that annually evaluates all

juvenile justice education programs using student performance measures; requiring the Department of Education to collaborate with certain entities to develop annual recommendations for system and school improvement; amending s. 1003.52, F.S.; providing legislative intent relating to educational services in juvenile justice programs; requiring the participation of the Department of Education and the Department of Juvenile Justice in certain activities related to juvenile justice education programs by each department's respective Coordinator of Juvenile Justice Programs; requiring that the annual cooperative agreement plan between the Department of Education and the Department of Juvenile Justice address each agency's role regarding educational program accountability, technical assistance, training, and coordination of services; requiring district schools in counties where juvenile justice programs are located to provide or contract for educational services and programs of instruction; providing that students in juvenile justice education programs that test for the GED remain enrolled in the education program for the duration of the FTE period in which they are tested; requiring juvenile justice education providers to assist the Department of Education in selecting student assessment instruments for measuring student performance; requiring local school districts to provide access to virtual education courses for students in juvenile justice education programs; prescribing fees chargeable to juvenile justice education programs for virtual courses accessed through local school districts; prescribing the basis and content of a youth's educational program within juvenile justice programs; requiring minimum course offerings and services from specified juvenile justice programs; requiring that a progress monitoring plan be developed for certain students; prescribing content of progress monitoring plans; requiring that the Department of Education and the Department of Juvenile Justice ensure the development of education transition plans for youth in juvenile justice programs; specifying criteria regarding the development, content and implementation of education transition plans; requiring local school districts to consider needs of students and education transition plans when students reenter school districts; prohibiting local school districts from maintaining a general policy regarding youth returning from juvenile justice programs; providing that the Secretary of the Department of Juvenile Justice or the director of a juvenile justice program can request review of a teacher's performance or request teacher reassignment for poor performance or inappropriate behavior; specifying certain juvenile justice programs to receive year-round FEFP funding; prescribing the method and amount of funding for students in juvenile justice programs; requiring the Department of Education to fund students in juvenile justice education programs who have graduated or received their GEDs; requiring that the effectiveness of juvenile justice education programs be determined by information gathered through systematic data collection, data analysis, evaluations, and accountability system; requiring that the programs be evaluated based on student performance outcomes; specifying student performance outcomes; establishing a program rating system based upon student performance measures; deleting a provision allowing school districts or education providers who fail to meet minimum standards a 6-month period to achieve compliance before being subject to sanctions adopted by board rules; deleting provisions requiring the Department of Education to operate an educational program at the Arthur Dozier School for Boys; requiring additional areas to be addressed in the Department of Juvenile Justice and the Department of Education annual report to the Legislature on effective educational programs for juvenile delinquents; requiring the State Board of Education to adopt rules; amending s. 1011.62, F.S.; revising calculation for the allocation of funds to juvenile justice education programs from the FEFP; providing an effective date.

—was referred to the Committees on Criminal Justice; Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Richter—

SB 1408—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; revising definitions and providing definitions; amending s. 628.905, F.S.; revising terminology; providing that protected cell subsidiary companies are limited to only insuring or reinsuring certain risks through protected cells; authorizing industrial insured captive insurance companies or protected cell subsidiary companies to insure or reinsure certain risks with respect to excess workers compensation and employer's liability insurance and excess life and health insurance; limiting an industrial insured captive insurance company from providing coverage with respect to such excess workers

compensation and employer's liability insurance under certain circumstances; amending s. 628.907, F.S.; revising terminology; requiring a protected cell subsidiary company to have a minimum amount of unimpaired paid-in capital in order to be issued a license; amending s. 628.908, F.S.; requiring a protected cell subsidiary company to have a minimum amount of unimpaired surplus in order to be issued a license; amending s. 628.909, F.S.; providing that specified provisions of the insurance code apply, or do not apply, to captive insurance companies, industrial insured captive insurance companies, or protected cell subsidiary companies; amending s. 628.910, F.S.; requiring a protected cell subsidiary company to be incorporated in a specified manner; amending s. 628.9142, F.S.; conforming provisions; authorizing a ceding captive insurance company to reinsure certain risks of a protected cell subsidiary company with respect to protected cells under specified circumstances; authorizing credit for reserves on certain risks assumed through reinsurance; amending s. 628.915, F.S.; conforming provisions; deleting a provision prohibiting industrial insured captive insurers from joining or contributing to any joint underwriting association or guaranty fund; deleting a provision prohibiting such insurers and specified others from receiving certain benefits from such associations or guaranty funds; amending s. 628.917, F.S.; conforming provisions; creating s. 628.921, F.S.; authorizing industrial insured captive insurance companies to form protected cell subsidiary companies; authorizing protected cell subsidiary companies to establish protected cells; providing conditions and requirements with respect to the formation of such subsidiaries, the establishment of such cells, and the conduct of operations of such entities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Appropriations.

By Senator Simmons—

SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled "General Provisions"; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having firesafety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and

amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term "consultant"; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company's investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified firesafety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the "Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act" to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform fire safety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to firesafety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to firesafety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting firesafety inspections; revising the period of validity of, and continuing education requirements for, firesafety inspector certificates; requiring repeat training for certified fire safety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a firesafety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather

than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm outbuildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial re-

newal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S.; relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, re-

numbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in ac-

cordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; providing that certain rules concerning statements of regulatory costs do not apply to the updates and amendments to the Florida Fire Prevention Code; amending s. 196.081, F.S.; revising provisions relating to the homestead exemption for spouses of veterans who died in the line of duty; creating a homestead exemption for surviving spouses of first responders who die in the line of duty; amending s. 554.103, F.S.; revising provisions of the State Boiler Code; establishing construction standards for new boilers installed or imported into this state; requiring the installer, rather than the owner, of a boiler placed in use after a specified date to submit a data report before operation; amending s. 633.167, F.S.; deleting a provision providing for terms and conditions of probation; amending s. 633.517, F.S.; deleting a provision authorizing the State Fire Marshal to administer oaths and take testimony; amending s. 791.012, F.S., relating to minimum fireworks safety standards; updating a reference; amending s. 791.015, F.S.; authorizing seasonal retailers of sparklers to submit one registration form for multiple locations; requiring each seasonal retailer of sparklers to pay an annual registration fee for each retail location registered; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for

failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Criminal Justice.

By Senator Richter—

SB 1412—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

SR 1414—Not referenced.

By Senator Evers—

SB 1416—A bill to be entitled An act relating to rehabilitation projects for petroleum contamination sites; amending s. 376.30711, F.S.; exempting competitive bids for site rehabilitation from certain statutory requirements; deleting provisions requiring the Department of Environmental Protection to preapprove costs or use performance-based contracts for site rehabilitation projects; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Hays—

SB 1418—A bill to be entitled An act relating to school safety; amending s. 790.115, F.S.; providing definitions; providing an exception to a prohibition on possession of firearms or other specified devices on school property or other specified areas for certain school district personnel; revising the applicability of a definition; amending s. 1006.12, F.S.; authorizing a district school board to designate one or more school safety officers for each school campus; authorizing a school principal and district school superintendent to designate certain school personnel to carry a concealed weapon or firearm on school property while performing school duties under certain circumstances; amending ss. 435.04, 790.251, 921.0022, and 1012.315, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Education; Criminal Justice; and Rules.

By Senator Sobel—

SB 1420—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert's competency evaluation report; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; and Appropriations.

By Senator Richter—

SB 1422—A bill to be entitled An act relating to the communications services tax; providing legislative findings and intent; amending s. 202.11, F.S.; deleting the definition of the term “enhanced zip code” and revising the definition of the term “video service”; amending s. 202.12, F.S.; revising the communications services tax rate on sales of communications services; deleting provisions that impose a communications services tax on the retail sale of direct-to-home satellite services and require the collection and remittance of the gross receipts tax on the same transaction; conforming a cross-reference; amending s. 202.125, F.S.; deleting an exemption from the communications services tax and gross receipts tax for the separately stated sales price of communications services sold to residential households and the exception to such exemption for transient public lodging establishments, mobile communications services, video services, or direct-to-home satellite services; conforming cross-references; amending ss. 202.13 and 202.151, F.S.; conforming cross-references; amending s. 202.155, F.S.; providing for the future repeal of such section relating to special rules for establishing a customer's place of primary use of mobile communications services; conforming a cross-reference; amending s. 202.16, F.S.; conforming a cross-reference; amending s. 202.18, F.S.; revising the allocation and disposition formula applicable to proceeds of the communications services tax and certain proceeds of the gross receipts tax; requiring a local government to reduce its ad valorem tax mileage rate to offset certain increases in communications services tax revenues; authorizing a local government to elect not to offset such revenues by adoption of a resolution in a specified manner; providing responsibilities and duties for local governments and the Department of Revenue relating to such resolutions; conforming provisions to changes made by the act; repealing s. 202.19, F.S., relating to the authorization to impose the local communications services tax; amending ss. 202.193 and 202.195, F.S.; conforming cross-references; repealing ss. 202.20, 202.21, and 202.22, F.S., relating to the local communications services tax conversion rates, the effective dates and procedures for informing dealers of communications services of tax levies and rate changes, and the determination of the local tax situs for imposition of the tax, respectively; amending s. 202.23, F.S.; conforming cross-references; amending s. 202.231, F.S.; providing for the future repeal of such section relating to providing information to local taxing jurisdictions concerning the local communications services tax; amending s. 202.24, F.S.; conforming cross-references; defining the term “replaced revenue sources”; amending s. 202.26, F.S.; revising the Department of Revenue's authority to adopt rules relating to a dealer's exercise of due diligence with respect to certain records and methods necessary for the collection of the local communications services tax; conforming cross-references; amending ss. 202.27, 202.28, 202.29, and 202.35, F.S.; conforming cross-references; repealing ss. 202.37, 202.38, 202.381, and 203.001, F.S., relating to special rules for administration of the local communications services tax, special rules for bad debts and adjustments under specified previously existing taxes, the transition from previously existing taxes, and the combined rate for communications services and the gross receipts tax on utility services, respectively; amending s. 203.01, F.S.; conforming cross-references; revising the tax rate levied on communications services; amending ss. 218.67, 288.1045, 288.106, and 213.053, F.S.; conforming cross-references; amending s. 337.401, F.S.; deleting the authority for municipalities, charter counties, and noncharter counties to collect permit fees from providers of communications services that use or occupy municipal or county roads or rights-of-way and deleting the procedures, requirements, and limitations

with respect thereto; conforming cross-references; providing application relating to the replacement of taxes or fees repealed by this act with respect to the impairment of bonded indebtedness secured by such taxes or fees; providing application relating to the imposition of taxes on billing statements for communications services; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Evers—

SB 1424—A bill to be entitled An act relating to public records; amending s. 338.155, F.S.; clarifying provisions; providing that personal identifying information about individuals related to the payment of tolls, which is held by the Department of Transportation and certain other entities, is exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing legislative findings and a statement of public necessity; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Accountability; and Rules.

By Senator Simmons—

SB 1426—A bill to be entitled An act relating to trespassing; amending s. 810.011, F.S.; providing that property owned or leased by a railroad or railway company does not have to satisfy the definition of “posted land” in order to obtain the benefits of ss. 810.09 and 810.12, F.S., in certain circumstances; reenacting ss. 260.0125(5)(b) and 810.09(2)(d), F.S., relating to limitation of liability of private landowners whose property is designated as part of the statewide system of greenways and trails and trespass on property other than structure or conveyance, respectively, for the purpose of incorporating the amendment to s. 810.011, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Rules.

By Senator Flores—

SB 1428—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; revising the membership of the board of governors of the corporation to require that two members be residents of specified counties and provide for the Chief Financial Officer's appointment of an additional member to serve as a consumer advocate; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Rules.

By Senator Simpson—

SB 1430—A bill to be entitled An act relating to homeowner's insurance; amending s. 627.7011, F.S.; providing an additional coverage option that offers the actual cash value of the property; making technical and grammatical changes; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

SR 1432—Not referenced.

By Senator Evers—

SB 1434—A bill to be entitled An act relating to the Department of Law Enforcement; amending ss. 125.5801 and 166.0442, F.S.; authorizing counties and municipalities to require state and federal criminal history screening for certain specified persons, including employees, private contractors, and employees of private contractors; amending s.

285.18, F.S.; conforming a cross-reference; amending s. 406.145, F.S.; removing the Unidentified Person Report form developed by the department as a method to enter certain data; amending s. 414.40, F.S.; conforming cross-references; amending s. 937.021, F.S.; providing for release of information relating to a missing child; amending s. 937.024, F.S.; eliminating a requirement that the Office of Vital Statistics recall each missing child's birth certificate or birth record from the local registrar of vital statistics in the county of the missing child's birth; amending s. 937.025, F.S.; making grammatical changes; amending s. 937.028, F.S.; requiring fingerprints of a child taken and retained by specified agencies other than the Department of Law Enforcement to be destroyed when the child becomes 18 years of age; requiring that fingerprints of persons, including minors, who are reported missing which have been entered into the automated biometric identification system maintained by the department be retained until the missing person has been recovered; amending s. 943.03, F.S.; removing obsolete provisions applicable to the department; amending s. 943.031, F.S.; making the duties of the Florida Violent Crime and Drug Control Council subject to available funding; removing obsolete provisions; amending s. 943.0435, F.S.; requiring a sexual offender to provide his or her fingerprints and a photograph when registering with the department; amending s. 943.04351, F.S.; requiring a state agency or governmental subdivision, before making an appointment or employment decision, to search certain databases for registered sexual predators and sexual offenders; amending s. 943.0438, F.S.; removing an obsolete date relating to screening athletic coaches as sexual predators or sexual offenders; amending s. 943.045, F.S.; defining the term "biometric"; revising the terms "criminal justice information" and "criminal history information"; amending s. 943.05, F.S.; clarifying duties of the Criminal Justice Information Program pertaining to the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring local law enforcement agencies to have fingerprints, palm prints, and facial images of certain adults and minors captured and electronically submitted to the department; amending s. 943.052, F.S.; revising information that must be included in a disposition report filed with the department; amending s. 943.053, F.S.; requiring that information from criminal justice information systems of the federal government or other states not be disseminated in a manner inconsistent with the rules instituted by the National Crime Prevention and Privacy Compact; amending s. 943.054, F.S.; providing for the availability of federal criminal history records and information in a specified manner; removing certain obsolete restrictions; amending s. 943.0542, F.S.; requiring that payment for a criminal history check be made in the manner prescribed by the department by rule; amending s. 943.0544, F.S.; permitting the department to develop and administer a criminal justice intrastate network; amending ss. 943.055 and 943.056, F.S.; revising provisions to conform to changes made by the act; amending s. 943.0582, F.S.; extending the diversion expunction completion date; removing obsolete language; amending ss. 943.0585 and 943.059, F.S.; revising provisions to conform to changes made by the act; amending s. 943.125, F.S.; providing for the accreditation of state and local law enforcement agencies, correctional facilities, and public agency offices of inspectors general and others; providing legislative intent; specifying the criteria for the law enforcement accreditation; requiring the department to employ and assign support staff to certain accreditation commissions if funding is available; requiring the accreditation commissions to determine accreditation standards used by the accreditation programs; amending s. 943.13, F.S.; removing obsolete provisions and making technical changes; amending s. 943.132, F.S.; deleting a cross-reference to a federal law relating to the carrying of concealed firearms by qualified active or qualified retired law enforcement officers; amending ss. 943.1395 and 943.1755, F.S.; making technical changes; revising provisions to conform to changes made by the act; amending s. 943.1757, F.S.; removing obsolete time provisions; amending s. 943.25, F.S.; conforming provisions to changes made by the act and making technical changes; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; providing that state-operated laboratories shall furnish laboratory services to law enforcement officials; revising the definition of the term "good cause"; prohibiting the presence of specified persons inside a state-operated laboratory; declaring who is responsible for costs of providing such materials; amending s. 943.68, F.S.; changing a reporting date; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Appropriations.

By Senator Brandes—

SB 1436—A bill to be entitled An act relating to digital learning; creating s. 1002.326, F.S.; requiring the State Board of Education to adopt minimum technology standards that meet certain criteria; amending s. 1002.37, F.S.; distinguishing an FTE standard for part-time and full-time students at the Florida Virtual School; amending s. 1002.45, F.S.; providing that a state university can affirm an approved provider; conforming cross-references; removing a requirement that providers be located in this state and staffed by state residents; requiring that virtual instruction programs provide individualized courses in accessible formats to students who have disabilities; establishing FTE standards for full-time and part-time virtual instruction; amending s. 1003.01, F.S.; expanding exceptions to "core-curricula courses"; amending s. 1003.498, F.S.; deleting restrictions on registering for online courses offered by a school district that is not the district in which a student is enrolled; prohibiting a school district from requiring a public school student to take a course outside the school day in addition to the student's courses for a given term; amending s. 1011.61, F.S.; applying limitations on membership in programs scheduled for more than 180 days to additional entities; amending s. 1011.67, F.S.; providing that funds allocated for instructional materials may be used to purchase hardware; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Simpson—

SB 1438—A bill to be entitled An act relating to restitution for juvenile offenses; amending s. 985.437, F.S.; requiring a child's parent or guardian, in addition to the child, to make restitution for damage or loss caused by the child's offense; providing for payment plans in certain circumstances; deleting provisions for absolving the parent or guardian of liability for restitution in certain circumstances; amending s. 985.513, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Senator Lee—

SB 1440—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; providing that a student who volunteers with a campaign for public office may count such hours toward the community service prerequisite for the Florida Bright Futures Scholarship Program; requiring that a community service verification form include the signature of the student, the student's parent or guardian, and a representative of the organization for whom the student performed community service work; providing an effective date.

—was referred to the Committees on Education; and Ethics and Elections.

By Senator Lee—

SB 1442—A bill to be entitled An act relating to alarm system contracting and permitting; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of Installation of Alarm System within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of Installation of Alarm System; providing inspection procedures and requirements for low-voltage alarm system projects; prohibiting specified local governments from adopting or maintaining certain ordinances and rules; providing an effective date.

—was referred to the Committees on Regulated Industries; and Criminal Justice.

By Senator Thompson—

SB 1444—A bill to be entitled An act relating to trust funds; creating s. 25.3825, F.S.; creating the Fiscal Stability Trust Fund within the state courts system to be administered by the Supreme Court; providing for fund revenues; providing for administration of the trust fund and use of moneys in the fund; requiring balances to remain in the trust fund at the end of the fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Altman—

SB 1446—A bill to be entitled An act relating to defense of life, home, and property; creating s. 776.001, F.S.; providing legislative finding and intent; providing that the defensive display of a weapon or firearm, including the discharge of a firearm for the purpose of a warning shot, does not constitute the use of deadly force; providing immunity from prosecution for persons acting in defense of life, home, and property from violent attack or the threat of violent attack through certain displays of or uses of force; creating s. 776.0011, F.S.; providing definitions; creating s. 776.033, F.S.; providing for the justifiable defensive display of a firearm or weapon in certain circumstances; amending s. 776.06, F.S.; limiting a provision authorizing use of deadly force by law enforcement or correctional officers; creating s. 775.0878, F.S.; providing an exemption from minimum sentence requirements related to use of a weapon or firearm for persons acting in self-defense or defense of others; authorizing a departure from minimum sentence requirements related to use of a weapon or firearm for persons convicted of certain offenses who meet specified requirements; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Smith—

SB 1448—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule III controlled substances certain specified materials, compounds, mixtures, or preparations that promote muscle growth or otherwise enhance athletic performance; reenacting s. 893.13(1)-(6), F.S., relating to prohibited acts involving controlled substances, to incorporate the amendments made to s. 893.03, F.S., in references thereto; reenacting s. 921.0022(3)(b)-(e), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Smith—

SB 1450—A bill to be entitled An act relating to certified registered nurse anesthetists; amending s. 464.012, F.S.; authorizing certified registered nurse anesthetists to practice within a protocol established in collaboration with, rather than with approval of, the physicians and medical staff of the facility in which the anesthetic service is performed; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Judiciary; and Rules.

By Senator Braynon—

SB 1452—A bill to be entitled An act relating to supplier diversity; providing that the purpose of the act is to encourage greater economic

opportunity for businesses controlled and operated by women, minorities, and disabled veterans; providing definitions; authorizing the Public Service Commission to require certain regulated corporations to submit a plan for increasing procurement from businesses controlled and operated by women, minorities, and disabled veterans; providing criteria for procurement programs; authorizing the commission to establish guidelines for procurement programs; requiring certain regulated corporations to report annually to the commission on the implementation of procurement programs; requiring the commission to annually report certain information to the Legislature; encouraging certain corporations to voluntarily adopt such plans; authorizing the commission to adopt rules to determine and verify the eligibility for participation in the procurement program; requiring that affected regulated corporations implement an outreach program; providing penalties for a person or corporation that falsely represents a business being controlled or operated by women, minorities, or disabled veterans; providing that a corporation may take certain measures to facilitate the participation of businesses controlled and operated by women, minorities, or disabled veterans; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Communications, Energy, and Public Utilities; and Appropriations.

By Senator Thompson—

SB 1454—A bill to be entitled An act relating to sentencing of offenders; amending s. 775.082, F.S.; revising the number of sentencing points the offender might accumulate below which the court must sentence the offender to a nonstate prison sanction; providing that if the court makes written findings that a nonstate prison sanction could present a danger to the public, the court may sentence the offender to a state correctional facility; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Smith—

SB 1456—A bill to be entitled An act relating to habitual traffic offender designations; amending s. 322.331, F.S.; removing time restrictions for the removal of a habitual traffic offender designation upon proof of compliance with certain statutory provisions by certain offenders; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Rules.

By Senator Brandes—

SB 1458—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of a motor vehicle for refusal to pay penalty; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance under the section; providing that displaying such information on an electronic device does not constitute consent for a law enforcement officer to access other information stored on the device; providing that the person displaying the device assumes the liability for any resulting damage to the device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic cita-

tions; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for assessment fees, courses, course certificates, and course providers; directing the department to adopt rules; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term "apportioned motor vehicle"; revising the definition of the term "apportionable motor vehicle"; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.05, F.S.; revising provisions relating to record inspection procedures and fees; deleting provisions that permit certain public inspection of registration records; deleting a provision allowing certain businesses and professionals to obtain information by telecommunication in certain circumstances; conforming and clarifying a list of records that may be provided by the department; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; providing a timeframe for course length; prohibiting a provider from charging for a completion certificate; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from certain students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; amending s. 322.18, F.S.; revising provisions for a vision test required for driver license renewal for certain drivers; amending s. 322.21, F.S.; providing a fee for a commercial learner's permit; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver

license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Smith—

SB 1460—A bill to be entitled An act relating to secondhand precious metals; providing definitions; prohibiting a secondhand precious metals dealer from conducting business without meeting certain registration requirements; prohibiting a secondhand precious metals dealer from remitting payment without receiving specified information from the seller; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; and Rules.

By Senator Dean—

SB 1462—A bill to be entitled An act relating to the Homeowners' Construction Recovery Fund; amending s. 489.140, F.S.; revising the surcharge funding calculation; amending s. 489.1401, F.S.; requiring Division II contractors to participate in the fund; amending s. 489.1402, F.S.; revising definitions and removing obsolete definitions; amending s. 489.141, F.S.; revising the eligibility conditions for recovery; amending s. 489.1425, F.S.; revising the notice to residential property owners regarding recovery from the fund; amending s. 489.143, F.S.; revising the limits for payments for claims; providing limits for claims made for Division II claims; removing obsolete provisions; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Appropriations.

By Senator Lee—

SB 1464—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising definitions; amending s. 681.104, F.S.; revising notice requirements; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking recertification of a procedure or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Lee—

SB 1466—A bill to be entitled An act relating to shared parenting; amending 61.13, F.S.; establishing a presumption that it is in the best interests of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Lee—

SB 1468—A bill to be entitled An act relating to the appointment of an attorney for a dependent child with disabilities; creating s. 39.01305, F.S.; defining terms; providing legislative findings and intent; requiring an attorney to be appointed in writing; requiring that the appointment continues in effect until the attorney is permitted to withdraw or is discharged by the court or until the case is terminated; requiring that the attorney be adequately compensated for his or her service; providing a limitation; providing for a conditional implementation; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Appropriations.

By Senator Detert—

SB 1470—A bill to be entitled An act relating to state lands; amending s. 253.03, F.S.; requiring rules adopted by the Board of Trustees of the Internal Improvement Trust Fund relating to certain uses of sovereignty submerged lands to address specific issues; providing that a facility that does not comply with the rules is not eligible for a surcharge waiver; amending s. 253.0345, F.S.; allowing trustees to issue consents of use or leases to special event promoters or boat show owners; providing that certain consents of use or leases may be issued for events to be held over 10 consecutive years; providing for the adoption of rules; amending s. 403.814, F.S.; requiring the Department of Environmental Protection to issue general permits for certain special events; providing requirements for such permits; requiring an annual survey to ensure that lease boundaries have not been violated; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Legg, Latvala, Simpson, and Brandes—

SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; providing that a utility that elects not to complete construction of a nuclear power plant may not recover or retain any rate of return for such costs; making technical changes; providing for future review and repeal; requiring that the Florida Public Service Commission submit a report to the Legislature to be considered in the future review of s. 366.93, F.S.; specifying criteria for such report; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Community Affairs.

By Senator Bullard—

SB 1474—A bill to be entitled An act relating to education personnel evaluation; amending s. 1012.34, F.S.; revising the criteria upon which the performance evaluation of instructional personnel and school administrators is measured; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Dean—

SB 1476—A bill to be entitled An act relating to murder of a child 17 years of age or younger; creating s. 782.066, F.S.; providing for reclassification of specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Thompson—

SM 1478—A memorial to the United States Secretary of Homeland Security, urging the United States Department of Homeland Security to create the Haitian Family Reunification Parole Program.

—was referred to the Committee on Judiciary.

By Senator Latvala—

SB 1480—A bill to be entitled An act relating to interlocal agreements; amending s. 163.01, F.S.; modifying the definition of “public agency” to include a public transit provider; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Senator Hays—

SB 1482—A bill to be entitled An act relating to skilled nursing facilities; amending s. 408.036, F.S.; providing an exemption from certificate-of-need requirements for the construction of specified licensed skilled nursing facilities; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules.

By Senator Smith—

SB 1484—A bill to be entitled An act relating to mental health; amending s. 491.0147, F.S.; providing that the confidentiality of communications between certain health care providers and patients is waived under certain circumstances; requiring certain health care providers to report certain information to the Department of Law Enforcement; amending s. 790.06, F.S.; prohibiting the Department of Agriculture and Consumer Services from issuing a concealed weapons license to a person incapable of exercising proper judgment with respect to a firearm; establishing criteria to determine whether a person is incapable of exercising proper judgment with respect to a firearm; providing a method of appeal for a person found incapable of proper judgment with respect to firearms; requiring the department to forward certain appeal documentation to the Department of Law Enforcement; requiring the Department of Law Enforcement to remove certain mental health records from the firearm-prohibited persons database under certain circumstances; providing that the Department of Agriculture and Consumer Services must suspend or revoke the license of a person incapable of exercising proper judgment with respect to a firearm; amending s. 790.065, F.S.; requiring the Department of Law Enforcement to determine if a person is incapable of exercising proper judgment with respect to a firearm during a firearm sale background check and, if so, prohibit the sale of a firearm to such person; providing a definition for the term “incapable of exercising sound judgment with respect to the proper use and storage of a firearm”; requiring the department to compile and maintain a database of persons who enter a plea of not guilty by reason of insanity in a criminal proceeding or who have been reported as suffering certain mental disorders and posing a risk to themselves or others by a health care provider; requiring clerks of court to submit the record of a criminal plea of not guilty by reason of insanity or mental defect to the department; requiring certain health care providers to submit certain information for inclusion in the database; providing that a person denied during a firearm sale due to being incapable of exercising proper judgment with respect to a firearm may file an appeal; describing the appeal procedure; requiring the department to remove certain records from the database upon a successful appeal by a denied firearm purchaser; requiring health care providers who provide information for inclusion in the database to assist the department in verifying the identity of denied firearm purchasers; creating s. 790.0651, F.S.; providing legislative intent; providing definitions; requiring certain health care providers to report identifying information of patients who suffer certain mental illnesses and pose a risk to themselves or others to the Department of Law Enforcement; providing a method by which such reports must be made; requiring the department to provide a reporting health care provider with a unique report number; requiring the department to create or update a record in the firearm-prohibited persons database based on the report; requiring the department to provide notice to the person who is the subject of a report if a record is created based upon the report; limiting the use of information in reports provided by health care providers; requiring certain identifying information of a reporting health care provider to be included in a record and held confidential and exempt; providing that a reporting health care provider is presumed to act in good faith, unless otherwise shown by clear and convincing evidence, and is immune from civil and criminal liability; providing that a health care provider may be disciplined for failure to

comply with this act; describing effect of the act; requiring the Department of Law Enforcement and the Department of Health to adopt rules; creating s. 790.234, F.S.; prohibiting the possession of firearms and ammunition by persons with certain mental health records in the firearm-prohibited persons database; providing penalties; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; and Appropriations.

By Senator Smith—

SB 1486—A bill to be entitled An act relating to public records; creating s. 790.0652, F.S.; providing definitions; creating an exemption from public records requirements for certain information of patients and health care providers under the mandatory reporting of mental health status for firearm safety program; providing for disclosure of such information under specified conditions; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Braynon—

SB 1488—A bill to be entitled An act relating to licensure to carry a concealed weapon or firearm; amending s. 790.06, F.S.; revising conditions precedent to the issuance of a license to carry a concealed weapon or firearm; revising conditions under which a license to carry a concealed weapon or firearm is suspended or revoked and the conditions under which an application for such license is denied or the processing thereof suspended; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Latvala—

SB 1490—A bill to be entitled An act relating to business entity filing fees; amending ss. 607.0122, 608.452, 617.0122, 620.1109, and 620.81055, F.S.; requiring a corporation for profit, a limited liability company, a corporation not for profit, a domestic limited partnership, a foreign limited partnership, and a limited liability partnership, respectively, to submit a biennial report to the Department of State; revising report filing fees; providing for reduction of certain biennial report filing and supplemental corporate fees if the report is submitted by a specified date of the year in which the report is due; amending s. 607.193, F.S.; providing that the supplemental corporate fee is due in the year that the biennial report is submitted; providing that a late charge imposed on a supplemental report may be waived by the department in cases of demonstrated hardship; amending ss. 607.0121, 607.0128, 607.01401, 607.0141, 607.0502, 607.0705, 607.1420, 607.1421, 607.1509, 607.15101, 607.1530, 607.1531, 607.15315, 607.1601, 607.1622, 608.448, 608.4481, 608.4482, 608.4511, 608.509, 608.5101, 608.512, 608.513, 608.5135, 617.0121, 617.0128, 617.0141, 617.0502, 617.1420, 617.1421, 617.1509, 617.1510, 617.1530, 617.1531, 617.1533, 617.1601, 617.1622, 620.1115, 620.1209, 620.1210, 620.1809, 620.1810, 620.1906, 620.1909, and 620.9003, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Negron—

SB 1492—A bill to be entitled An act relating to the Education Savings Account Program; creating s. 1002.385, F.S.; establishing the program to provide a student account to pay for specified educational expenses at a private school, private virtual school, private tutoring program, or public or private postsecondary institution or to contribute

to a college savings plan or make payment for a prepaid college plan; providing definitions and student eligibility requirements; providing parent and student responsibilities; providing educational institution eligibility and obligations; providing Department of Education, Chief Financial Officer, and financial institution obligations; providing Commissioner of Education authority and obligations; authorizing the release of personally identifiable information; providing for the total amount of payments; authorizing the Legislative Budget Commission to transfer certain funds to the Florida Education Finance Program; providing for administration and rulemaking; providing requirements for enrollment in the program for the 2013-2014 school year; authorizing the State Board of Education and the Chief Financial Officer to adopt emergency rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Thrasher—

SB 1494—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department's power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing for construction; prohibiting specified actions by a person knowing or having reason to believe that a subpoena is pending; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising terminology; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

By Senator Thrasher—

SB 1496—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for the complaint and information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying dura-

tion of the exemption; specifying conditions that constitute an active investigation; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Brandes—

SB 1498—A bill to be entitled An act relating to sinkhole insurance; amending s. 627.706, F.S.; revising the definition of the term “structural damage”; amending s. 627.707, F.S.; providing that an insurer must pay for stabilizing a structure if a sinkhole loss is verified, using a stabilization method that includes a specified type of warranty; requiring a policyholder who is paid by an insurer to stabilize a structure to repair the sinkhole; requiring an insurer to renew a property insurance policy when certain sinkhole losses have been paid; removing a provision authorizing an insurer to nonrenew a policy when the insurer has paid the policy limits for a sinkhole loss; amending s. 627.7073, F.S.; providing that a specified report to determine the presence or absence of sinkhole loss or other cause of damage is to be considered the jointly owned property of the insurer and the policyholder; requiring such reports to be provided to policyholders and insurers in a specified manner; providing requirements with respect to the form of such reports; specifying a period within which an insurer that pays a claim for sinkhole loss must file a copy of such report with the clerk of court; providing monetary penalty payable by the insurer to the clerk of court for failing to timely file such report; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Rules.

Bill numbers **1500-1578** have been reserved for appropriation bills.

By Senator Soto—

SB 1580—A bill to be entitled An act relating to the State Board of Education; amending s. 1001.02, F.S.; requiring the State Board of Education to adopt rules in writing before implementing a new statute or program, changing rules for an existing program, or amending written technical assistance papers; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Senator Braynon—

SB 1582—A bill to be entitled An act relating to culpable negligence; providing a short title; amending s. 784.05, F.S.; defining the term “assault weapon”; providing that a person commits a felony of the third degree if he or she stores or leaves an assault weapon within the reach or easy access of another person if that person obtains the weapon and uses it to inflict injury or death; providing criminal penalties; providing exceptions; amending s. 921.0022, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Sobel—

SJR 1584—A joint resolution proposing an amendment to Section 2 of Article I of the State Constitution, relating to basic rights.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

By Senator Stargel—

SB 1586—A bill to be entitled An act relating to the Florida Marriage Handbook; creating s. 741.0307, F.S.; creating the Marriage Education Committee; providing for membership and terms of members; providing

for administration within the Department of Children and Families; providing for creation of the Florida Marriage Handbook; providing topics that may be covered in the handbook; providing for distribution of handbook and encouraging clerks of court to provide a list of course providers and sites where marriage and relationship skill-building classes are available; providing for review and revision of the handbook; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Evers—

SB 1588—A bill to be entitled An act relating to used tires; prohibiting the sale of unsafe used tires by used tire retailers; providing an exception; providing what constitutes an unsafe used tire; providing a civil penalty; providing for the deposit and use of the penalties collected; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Agriculture; and Appropriations.

By Senator Evers—

SB 1590—A bill to be entitled An act relating to management and storage of surface waters; amending s. 373.406, F.S.; expanding an exemption to include activities that require a permit issued by a local government which is similar to an environmental resource permit; amending s. 373.407, F.S.; authorizing a local government to request the Department of Agriculture and Consumer Services to make a binding determination as to whether an existing or proposed activity qualifies for an agricultural-related exemption; requiring a local government to comply with the memorandum of agreement between the department and the water management district having jurisdiction; requiring a local government to provide certain information to the department; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Evers—

SB 1592—A bill to be entitled An act relating to religion in schools; amending s. 1002.20, F.S.; providing that public school students have certain rights regarding the expression of religious beliefs; specifying such rights; amending s. 1008.25, F.S.; conforming a cross-reference; making grammatical changes; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Rules.

By Senator Bradley—

SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; deleting a reference to life cycle cost calculations; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; providing that certain improvements may be included in a performance contract if certain conditions are satisfied; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency’s guaranteed energy, water, and wastewater performance savings contract; conforming language; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and Community Affairs.

By Senator Soto—

SB 1596—A bill to be entitled An act relating to the commercial breeding of animals; defining terms; requiring commercial breeders to comply with certain federal animal welfare standards and rules adopted by the Department of Business and Professional Regulation that require compliance with future amendments to the standards; requiring commercial breeders to register with the department; providing for registration applications and fees; providing for the inspection and annual reinspection of locations where commercial breeders house animals; providing for the expiration and renewal of registrations; prohibiting certain acts by commercial breeders; providing administrative and criminal penalties; specifying that certain proceedings are governed by the Administrative Procedure Act; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Regulated Industries; Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Soto—

SB 1598—A bill to be entitled An act relating to corporate income tax; creating s. 220.197, F.S.; providing a short title; establishing a corporate income tax credit for the hiring of veterans; providing eligibility requirements; establishing an additional corporate income tax credit for the hiring of disabled veterans; providing eligibility requirements; authorizing the Department of Revenue to adopt rules; authorizing the Department of Revenue to determine guidelines for qualification of the tax credit; providing for expiration of the tax credit; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Bean—

SM 1600—A memorial to the Congress of the United States, urging Congress to repeal the health insurance tax contained in sections 9010 and 10905 of the Patient Protection and Affordable Care Act and section 1406 of the Health Care and Education Reconciliation Act.

—was referred to the Committee on Health Policy.

By Senator Bean—

SB 1602—A bill to be entitled An act relating to budget requests; amending s. 216.023, F.S.; requiring that each state agency submit, at least every 8 years, and in accordance with a specified schedule, a certain budget evaluation and an evaluation of the programs and administrative structure of the agency to justify its continuing existence; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations; and Rules.

By Senator Simpson—

SB 1604—A bill to be entitled An act relating to enterprise zones; amending s. 212.08, F.S.; revising an exception to the definition of the term “recovery property”; amending s. 212.096, F.S.; renaming the enterprise zone jobs credit as the enterprise zone job stimulus credit; conforming definitions to changes made by the act; providing additional legislative intent; authorizing the enterprise zone job stimulus credit against the sales tax to be applied to new employees hired; revising criteria for claiming the credit; deleting the minimum threshold requirement for full-time jobs required to claim the credit; specifying an additional criterion for nonapplication of the credit to eligible busi-

nesses; amending s. 220.02, F.S.; conforming terminology to changes made by the act; amending s. 220.03, F.S.; conforming definitions to changes made by the act; amending s. 220.181, F.S.; renaming the enterprise zone jobs credit as the enterprise zone job stimulus credit; authorizing the enterprise zone job stimulus credit against the corporate income tax to be applied to new employees hired; revising criteria for claiming the credit; deleting the minimum threshold requirement for full-time jobs required to claim the credit; amending s. 290.00677, F.S.; conforming provisions to changes made by the act; amending s. 290.007, F.S.; conforming terminology to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Richter—

SB 1606—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Rules.

By Senator Montford—

SB 1608—A bill to be entitled An act relating to exempt cigarettes for members of recognized Indian tribes; amending s. 210.1801, F.S.; providing for the annual total number of Indian-tax-and-surcharge-exemption coupons to be given to the recognized governing body of an Indian tribe; revising the calculation for the number of Indian-tax-and-surcharge-exemption coupons; requiring Indian reservation sellers to record transactions involving such coupons; adding to the information to be reported to the Division of Alcoholic Beverages and Tobacco; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Thompson—

SB 1610—A bill to be entitled An act relating to adult general education student fees; amending s. 1009.22, F.S.; revising student fees for adult general education programs; deleting the assessment of block tuition; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Clemens—

SB 1612—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; deleting a provision that limits the amount that a public adjuster may charge, agree to, or accept as compensation with respect to a claim filed under a policy of the corporation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Rules.

By Senator Sobel—

SB 1614—A bill to be entitled An act relating to sales of dogs and cats; amending s. 828.29, F.S.; requiring that a certificate of veterinary inspection for a dog or cat offered for sale within the state or by a seller located within the state be prepared by a veterinarian licensed by the state of the dog's or cat's origin; specifying additional diseases and con-

ditions that a certificate of veterinary inspection must address; requiring additional information to be included in the certificate; reducing the time period in which the veterinary examination must take place; providing requirements for the display of the official certificate of veterinary inspection or other specified information; prohibiting the knowing misrepresentation of the origin of a cat or dog; creating s. 828.295, F.S.; providing definitions; prohibiting the offer for sale or donation of cats and dogs at certain locations; providing exceptions; providing criminal penalties; providing enhanced criminal penalties for certain violations; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Sachs—

SB 1616—A bill to be entitled An act relating to personal trainers; creating part XVII of ch. 468, F.S.; creating s. 468.851, F.S.; defining terms; creating s. 468.8511, F.S.; creating the Board of Personal Training; providing membership and terms of the board; providing the location of the headquarters of the board; creating s. 468.8512, F.S.; providing for the powers and duties of the Board of Personal Training; creating s. 468.8513, F.S.; creating the Florida Fitness Instructors and Trainers Management Corporation; providing the purpose of the management corporation; authorizing the management corporation to hire staff; providing that the waiver of sovereign immunity for tort actions applies to the management corporation; providing that the management corporation is not an agency; providing the duties of the management corporation; creating s. 468.8514, F.S.; providing for the duties of the Department of Health; creating s. 468.8515, F.S.; requiring the Board of Personal Training to adopt rules to administer the act; creating s. 468.8516, F.S.; providing requirements for licensure by examination for personal trainers; creating s. 468.8517, F.S.; requiring that the department renew a license under specified circumstances; requiring that the management corporation prescribe the requirements for continuing education; requiring that the continuing education meet certain criteria; creating s. 468.8518, F.S.; providing for licensure fees; creating s. 468.8519, F.S.; prohibiting sexual misconduct in the practice of personal training; creating s. 468.852, F.S.; providing penalties for violation of the act; specifying acts that constitute a violation; creating s. 468.8521, F.S.; providing criteria for disciplinary actions; creating s. 468.8522, F.S.; providing for exemptions; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Sachs—

SB 1618—A bill to be entitled An act relating to condominium associations; amending s. 399.02, F.S.; removing a specific date by which updates to the safety code for certain existing elevators and escalators may not be enforced in condominiums or multifamily residential buildings; amending s. 718.111, F.S.; authorizing an agent, employee, or representative of a condominium association to enter into a condominium unit that has been abandoned or unoccupied under certain conditions; providing for the presumption of abandonment in certain circumstances; providing for the collection of expenses; providing for the publication of a directory of unit owners if approved by the board; amending s. 718.116, F.S.; relieving an association that has taken title to a unit by foreclosure from certain liability; adding to the expenses costs incurred in protecting the collateral of the mortgage for which the unit owner becomes liable; providing the types of costs that may be included in the expenses; providing an exception for expenses to protect the collateral of the mortgage from the exemption from liability for all unpaid assessments attributable to a unit for a first mortgagee or its successor or assignee who acquires title to the unit as a result of a foreclosure proceeding; authorizing an association to have a lien against rents generated by lease or rent of a unit under certain conditions; providing that each lease or rental agreement is subject to the lien right of the association, which includes an obligation of the tenant or lessee to make direct payment of rents to the association until certain obligations of the unit owner are paid in full; requiring the association to also provide notice to any person acting as a rental agent of its right to demand rental payments under certain conditions; requiring the association to apply excess rent as a credit against future assessments due from the unit; revising provisions

that allow an association to bring summary proceedings to sequester or collect rental income; revising provisions that allow an association to sue for eviction; authorizing recovery of reasonable attorney fees and costs by the prevailing party in an action for eviction; providing that the unit owner and the tenant are jointly and severally liable for attorney fees and costs of the association if the association prevails in an action to recover rent after proper demand; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Rules.

By Senator Garcia—

SB 1620—A bill to be entitled An act relating to municipal public works; amending s. 180.02, F.S.; providing that certain corporate powers of a municipality relating to utility facilities do not extend or apply within the unincorporated areas of any county without the consent of the board of county commissioners of such county; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Community Affairs; Judiciary; and Rules.

By Senator Richter—

SB 1622—A bill to be entitled An act relating to the establishment of a clearinghouse diversion program within the Citizens Property Insurance Corporation; creating s. 627.3518, F.S.; authorizing the creation of a clearinghouse diversion program within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By Senator Garcia—

SB 1624—A bill to be entitled An act relating to Voluntary Prekindergarten Education Program; amending s. 1002.67, F.S.; requiring the Department of Education to develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program which address the age-appropriate progress of students in the development of student learning growth; requiring measures of student learning growth to be based on interval data; requiring the State Board of Education to periodically align the performance standards for the statewide kindergarten screening to certain other standards and recommendations; amending s. 1002.69, F.S.; requiring the Department of Education to require a school district to administer the statewide kindergarten screening in a student's primary language; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education; and Appropriations.

By Senator Thompson—

SB 1626—A bill to be entitled An act relating to fine arts education in public schools; creating s. 1008.342, F.S.; requiring the Department of Education to establish a school grading system for fine arts courses; requiring the department to adopt criteria for determining a school's fine arts grade; requiring the department to collect school data, assign school grades, and publish information; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Montford—

SB 1628—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such

plans; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; creating s. 595.408, F.S.; authorizing the department to conduct, supervise, and administer commodity distribution services relating to school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transfer-

ring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Legg—

SB 1630—A bill to be entitled An act relating to education; requiring that the technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, F.S., be load tested and independently verified as appropriate, adequate, efficient, and sustainable; requiring that full implementation of online common core assessments for all kindergarten through grade 12 public school students occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts have been load tested and independently verified as ready for successful deployment and implementation; amending s. 1000.21, F.S.; modifying a definition; providing that certain common core standards are part of the Next Generation Sunshine State Standards; directing the Division of Law Revision and Information to change the term “Sunshine State Standards” to “Next Generation Sunshine State Standards” wherever the term appears in Florida Statutes; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Latvala—

SB 1632—A bill to be entitled An act relating to transportation; amending provisions of ch. 479 F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the Department of Transportation relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; increasing the allowable permit fee and requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; deleting limits on application fees for permits to remove vegetation on public rights-of-way; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines

for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, certain displays on specific sports facilities, and certain signs at welcome centers; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department's acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; providing an effective date.

—was referred to the Committees on Transportation; Appropriations; and Rules.

By Senator Lee—

SB 1634—A bill to be entitled An act relating to legislative lobbying expenditures; reenacting and amending s. 11.045, F.S.; providing exceptions when a member or an employee of the Legislature may accept certain expenditures made by a lobbyist or a principal; requiring each house of the Legislature to adopt rules providing for event approval and registration; establishing reporting requirements for members and employees of the Legislature; requiring each house of the Legislature to provide by rule for the registration of events; authorizing each house to establish rules for the payment or exemption from the payment of registration fees; providing that attendance reporting satisfies other filing requirements; providing a member or employee of the Legislature with a complete defense in certain complaints if specified requirements are met; defining the term “widely attended event”; requiring that any event registration fees collected be deposited into the Legislative Lobbyist Registration Trust Fund; providing for the future expiration and the reversion as of a specified date of statutory text; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Flores—

SB 1636—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term “born alive”; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; providing a presumption that the infant has been surrendered; providing for certain medical and social services for the infant; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Appropriations.

By Senator Diaz de la Portilla—

SB 1638—A bill to be entitled An act relating to assisted living facilities; amending s. 429.26, F.S.; providing that the owner or adminis-

trator of a facility is responsible for arranging medical evaluations and reevaluations of individuals admitted to or residing in the facility to assess appropriateness of admission or continued residence; requiring that the medical examination be conducted by a physician, physician assistant, or nurse practitioner and that the subsequent report be submitted within a specified timeframe; requiring the medical examination report to be recorded on a specified form provided by the Agency for Health Care Administration; providing immunity from liability for owners and administrators under certain circumstances; amending s. 429.29, F.S.; providing that a cause of action does not accrue against an employee or agent of a facility unless the employee or agent has been found personally guilty of a criminal offense that constitutes abuse, neglect, or exploitation; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Appropriations.

By Senator Sachs—

SB 1640—A bill to be entitled An act relating to weapons or firearms; providing a short title; creating s. 790.0653, F.S.; requiring transfers of firearms when neither party is a licensed dealer to be conducted through a licensed dealer; requiring deposit of the firearm with the dealer; requiring processing by the dealer; providing for disposition of the firearm if the dealer cannot legally complete the transaction; authorizing a fee; providing exceptions; providing criminal penalties for violations; requiring reports of violations by licensed dealers; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Senator Latvala—

SB 1642—A bill to be entitled An act relating to the H. Lee Moffitt Cancer Center and Research Institute; amending s. 1004.43, F.S.; transferring oversight of the H. Lee Moffitt Cancer Center and Research Institute to the Board of Trustees of the University of South Florida; requiring the Board of Trustees to enter into a lease agreement for use of certain land and facilities; providing for the terms of the lease; requiring the University of South Florida and the Florida not-for-profit corporation that governs and operates the H. Lee Moffitt Cancer Center and Research Institute to enter into an agreement to review construction plans and specifications for consistency of certain criteria; deleting the requirement that the President of the University of South Florida, the chair of the Board of Governors, other representatives of the state universities, and others who are not doctors or employees of the state serve as directors; deleting the exemption that the president of the university does not have to be elected by a majority vote of the board; deleting the requirement that the Board of Governors provide for certain approvals of the articles of incorporation of the not-for-profit corporation and use of land and facilities for certain purposes; requiring the not-for-profit corporation to have annual financial audits; requiring the not-for-profit corporation to provide equal employment opportunities; providing for the governance and operation of the facilities if the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida, rather than the Board of Governors, is terminated; requiring the chief executive officer to report annually to the Board of Governors on the educational activities of the not-for-profit corporation; providing for the creation and duties of an external advisory board; providing an effective date.

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

By Senator Flores—

SB 1644—A bill to be entitled An act relating to victims of human trafficking; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a

human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Lee—

SB 1646—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.73, F.S.; adding a condition that a technical amendment to the Florida Building Code must meet before the Florida Building Commission is authorized to approve the amendment; revising a cross-reference to conform; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Appropriations.

By Senator Evers—

SB 1648—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing criminal penalties for a person who commits a moving violation that causes serious bodily injury to, or causes or contributes to the death of, a pedestrian or a person operating or riding in a motor vehicle or operating or riding on a motorcycle or bicycle; requiring that the person pay a specified fine, serve a minimum period of incarceration, and attend a driver improvement course; requiring that the court revoke the person's driver license for a minimum specified period; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Gibson—

SB 1650—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring licensed child care facilities to implement certain additional nutritional practices; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Garcia—

SB 1652—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets; amending s. 817.36, F.S.; providing a definition; requiring ticket brokers to make specified disclosures to prospective buyers; prohibiting ticket brokers from using website universal resource locators containing trademarks without permission of the holder; providing criminal penalties; amending s. 817.361, F.S.; providing enhanced criminal penalties for second or subsequent violations of provisions relating to resale of multiday or multievent tickets; creating s. 817.362, F.S.; providing that specified provisions do not affect the initial sales of tickets; providing that an admission ticket represents a revocable license; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Appropriations.

SR 1654—Not referenced.

By Senator Bean—

SB 1656—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for certain personal identifying information of school safety marshals; providing for disclosure of such information under specified conditions; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Rules.

By Senator Evers—

SB 1658—A bill to be entitled An act relating to traffic infraction procedures; amending s. 318.14, F.S.; providing that a person receiving a notice of violation involving a traffic infraction detector or similar unattended device may request a hearing or pay a fine; providing that if a hearing is requested, the person is not required to pay the fine until after adjudication or settlement; prohibiting issuance of a subsequent traffic citation based on the original violation; specifying that the burden for proving guilt in a traffic infraction proceeding rests with the governmental entity bringing the charge; providing that a person is not compelled to be a witness against himself or herself in a traffic court; providing that a person charged with a violation of a traffic infraction detector statute or any similar law has the right to confront witnesses used against himself or herself; providing that evidence from an unattended device must be authenticated in court by specified persons; providing that an affidavit is not sufficient to authenticate the evidence; requiring the governmental entity to account for all evidence collected from the time of the alleged violation until the issuance of a notice of violation or traffic citation in writing; providing for compensation for witnesses as required by law; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Flores—

SB 1660—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; providing two application cycles each year; requiring the State Surgeon General to assemble an evaluation team to assess applications; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by a specified date the status of implementing the award program; amending s. 381.922, F.S.; authorizing endowments under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at research institutions contingent upon an appropriation; requiring submission of proposals; requiring that research institutions

report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Appropriations.

By Senator Grimsley—

SB 1662—A bill to be entitled An act relating to workers’ compensation; amending s. 440.13, F.S.; prohibiting an employer or carrier from refusing to authorize a health care provider to treat an injured employee solely because the health care provider is also the dispensing practitioner; authorizing a health care provider to dispense and fill prescriptions for medicines if the health care provider who is also the dispensing practitioner receives authorization from an employer or a carrier to treat an employee; prohibiting the Department of Financial Services, an employer, or carrier from requiring the injured employee to use a specified pharmacy, pharmacist, or dispensing practitioner; deleting provisions to conform to changes made by the act; providing the reimbursement amount for prescription medications; specifying circumstances under which a provider is required to give a credit to the insurance carrier or self-insured employer for each prescription that costs more than a specified amount; providing for the deposit of the credit; requiring the department to recalculate the amount of the provider rebate; prohibiting a physician or the physician’s assignee from holding an ownership interest in a licensed pharmaceutical repackaging entity or to set or cause to be set a repackaged pharmaceutical average wholesale price; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Appropriations.

By Senator Legg—

SB 1664—A bill to be entitled An act relating to education instructional personnel and school administrators; amending s. 1004.04, F.S.; revising legislative intent; revising the requirements for State Board of Education rules for uniform core curricula for state-approved teacher preparation programs; revising the process for initial approval of state-approved teacher preparation programs; revising the requirements for continued approval of state-approved teacher preparation programs; requiring the State Board of Education to adopt rules for continued approval of teacher preparation programs; requiring the Commissioner of Education to determine the continued approval of each program; providing requirements for a report that certain public and private institutions prepare regarding their teacher preparation programs; requiring the Department of Education to report to the Governor, the Legislature, the State Board of Education, the Board of Governors, the Commissioner of Education, each Florida postsecondary teacher preparation program, each district school superintendent, and the public the results of each approved program’s annual progress and the current approval status of each program; revising the requirements for pre-service field experience; amending s. 1004.85, F.S.; revising the definition of the term “educator preparation institute”; authorizing a qualified private provider to seek approval to offer a competency-based certification program; revising the criteria for approval of preparation programs; requiring the department to approve a certification program under certain circumstances; revising the requirements for program participants; revising the criteria for continued approval of programs; revising the requirements for personnel that participate in field experiences; amending s. 1012.32, F.S.; conforming cross-references and conforming provisions to changes made by the act; amending s. 1012.55, F.S.; requiring the State Board of Education to adopt rules that allow an individual who meets specified criteria to be eligible for a temporary certificate in education leadership; requiring a district that employs the individual in a school leadership position to provide a training program; amending s. 1012.56, F.S.; authorizing the State Board of Education to adopt rules that allow for the acceptance of college course credits recommended by the American Council for Education; authorizing a school district to provide a professional development certification program; specifying the components of the program; revising requirements for demonstrating mastery of professional education competence; requiring the Commissioner of Education to determine the continued approval of the programs; requiring the Department of Education to provide a re-

view procedure for an applicant who fails a certification examination; amending s. 1012.585, F.S.; conforming a cross-reference; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing that the calculation of funds for each teacher includes local contributions; requiring that a teacher's proportionate share of funds be provided by a debit card; authorizing the Department of Education to enter into public-private partnerships; authorizing school districts to enter into public-private partnerships; deleting provisions relating to a pilot program established for the 2009-2010 fiscal year; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Latvala—

SB 1666—A bill to be entitled An act relating to mortgage foreclosures; amending s. 25.073, F.S.; providing that a retired justice or retired judge may consent to temporary duty assigned by the Chief Justice to assist with the backlog of foreclosure cases; providing that the term “termination” as defined in ch. 121, F.S., does not apply to such temporary duty; providing that such temporary duty is not considered reemployment or employment after retirement for purposes of chapter 121, F.S., and that renewed membership in the Florida Retirement System is not authorized; amending s. 45.031, F.S.; providing that the second publication of the notice of sale may be published on a publicly accessible website of the clerk of the court in lieu of publication in any other form of media; revising the contents of the notice of sale; amending s. 50.011, F.S.; providing that certain legal notice requirements do not apply to an electronic publication of a notice of sale on a publicly accessible Internet website; creating s. 50.015, F.S.; requiring that a publicly accessible Internet website must be approved for legal publication, advertisement, and notice by the Florida Clerks of Court Operations Corporation; describing conditions and requirements for a publicly accessible Internet website; requiring 24-hour customer support; requiring that legal publication, advertisement, or notice of foreclosure action be posted within 3 business days, excluding court holidays, after the date for the foreclosure sale is set; authorizing a clerk of court to contract with a publicly accessible Internet website provider for legal publication of notice of foreclosure action; providing for maximum publication fees; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to existing causes of action; providing that the amendments made by this act to s. 95.11, F.S., apply to any action commenced on or after July 1, 2013; amending s. 121.021, F.S.; defining terms; providing for the applicability of the term “termination”; amending s. 121.091, F.S.; providing that as of a specified date a retired justice or retired judge is not subject to certain limitations otherwise applicable to retired employees; amending s. 121.591, F.S.; providing that, as of a specified date, a retired justice or retired judge who returns to temporary employment as a senior judge in any court may continue to receive a distribution of his or her retirement account after providing proof of termination from his or her regularly established position; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for non-applicability to proceedings involving timeshare interests; amending s. 702.035, F.S.; providing for the applicability of electronic publication if such publication effects advertisement, publication, or legal notice regarding a foreclosure proceeding; providing that only the costs charged by the host of the Internet website may be charged as costs in the action; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term “lienholder”; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or

to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing for construction and applicability; declaring that the act is remedial in nature and applies to all mortgages encumbering real property and all promissory notes secured by a mortgage, whether executed before, on, or after the effective date of this act; requiring that employer contribution rates be adjusted; providing a directive to the Division of Law Revision and Information; providing legislature findings; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing that certain specified provisions of the act take effect only if the Legislature appropriates a certain amount on a recurring basis to the judicial system and if the Governor does not veto the appropriation; providing that certain sections of the act stand repealed on a stated date; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; Appropriations; and Rules.

By Senator Sobel—

SB 1668—A bill to be entitled An act relating to the screening of direct service transit providers and volunteers; creating s. 427.0156, F.S.; defining terms; requiring direct service transit providers to submit to level 2 background screening; requiring that the background screening include employment history checks and local criminal records checks through local law enforcement agencies; specifying penalties for refusal to comply with the screening process; requiring the Agency for Persons with Disabilities, in consultation with the Department of Elderly Affairs, to adopt rules to establish a schedule to stagger the implementation of the screening program over a specified time frame; requiring direct service transit providers to be rescreened every 5 years; providing an exemption; identifying additional criminal offenses that may disqualify direct service transit providers; requiring direct service transit providers to pay the costs of screening activities; requiring the transit providers to complete screening by a specified date; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Criminal Justice.

By Senator Joyner—

SB 1670—A bill to be entitled An act relating to assault weapons and magazines; creating s. 790.222, F.S.; defining terms; prohibiting a person from manufacturing, importing, possessing, purchasing, selling, or transferring any assault weapon or large-capacity magazine; providing exceptions; providing criminal penalties; requiring an officer who makes an arrest for a violation of this act or for any offense involving the use or attempted use of an assault weapon or large-capacity magazine to take possession of the assault weapon or large-capacity magazine and to retain the assault weapon or magazine until disposition of the charge for which the person was arrested; providing for disposition of the assault weapon or large-capacity magazine after the person is convicted or acquitted; providing for the legal disposition of an assault weapon or large-capacity magazine after specified dates; providing a procedure for a person to voluntarily surrender an assault weapon or large-capacity magazine; providing a procedure for notice to a local or state law enforcement agency of the person's intention to surrender the assault weapon or large-capacity magazine; providing for the registration of the assault weapon or large-capacity magazine under certain circumstances; requiring the Department of Law Enforcement to provide every county sheriff with the training and forms necessary to perform background checks and register assault weapons and large-capacity magazines with the department; requiring a registered owner of an assault weapon or large-capacity magazine to annually renew the registration; requiring a registered owner of an assault weapon or large-capacity magazine to

report loss or theft to the appropriate law enforcement agency within a certain timeframe; requiring each licensed firearm dealer to conspicuously post at each purchase counter a warning in block letters which provides adequate notice of the time periods and criminal penalties contained in this section for compliance with the act; amending s. 775.087, F.S.; increasing criminal penalties for the possession or use of an assault weapon during the commission of certain specified offenses; providing for severability; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Altman—

SB 1672—A bill to be entitled An act relating to military affairs; creating s. 250.335, F.S.; requiring annual mandatory mental health screening for members of the Florida National Guard at the expense of the state; requiring periodic, mandatory mental health screening before and after specified deployment for active duty military service; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Health Policy; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Senator Sobel—

SB 1674—A bill to be entitled An act relating to the prevention of cancer in youth; amending s. 381.89, F.S.; providing a definition; prohibiting a minor from using a tanning device at a tanning facility; providing an exception for a minor who is using a tanning device as prescribed by a health care provider to treat a medical condition; requiring the operator or proprietor of a tanning facility to witness the signing of a written statement by the parent or legal guardian of the minor before he or she is allowed to use a tanning device as prescribed by a health care provider; providing requirements for the written statement; requiring a parent or guardian to accompany a minor who is under the age of 14 during the prescribed tanning sessions; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Appropriations.

By Senator Flores—

SB 1676—A bill to be entitled An act relating to high schools; creating s. 1003.432, F.S.; providing definitions; creating the State Seal of Bilingual Program to recognize a high school graduate who has attained a high level of competency in listening, speaking, reading, and writing in one or more languages in addition to English; providing the purpose of the program; specifying criteria to earn a State Seal of Bilingual; specifying minimum standards of a school-district-developed or school-district-selected world language examination; requiring a school district to certify to the Commissioner of Education that such examination meets the minimum standards; requiring the Commissioner of Education and school districts to perform specific duties to administer the State Seal of Bilingual Program; prohibiting a school district or the Department of Education from charging fees to a student who earns the State Seal of Bilingual; requiring the State Board of Education to adopt certain rules; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Gibson—

SB 1678—A bill to be entitled An act relating to firearms; amending s. 790.0655, F.S.; requiring a 3-day waiting period for the sale of any firearm; providing exceptions; providing penalties; creating s. 790.06551, F.S.; prohibiting the sale of ammunition to a person who has not completed an anger-management program; requiring certification of completion of an anger-management program to be renewed every 10 years;

providing minimum program requirements; prohibiting the purchase of ammunition by fraudulent means; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Policy; Judiciary; and Rules.

By Senator Altman—

SB 1680—A bill to be entitled An act relating to public records and public meetings exemptions; amending s. 383.412, F.S.; eliminating requirements that the closed portion of a meeting of the State Child Abuse Death Review Committee or a local committee at which specified identifying information is discussed be recorded, that no portion of such closed meeting be off the record, and that the recording be maintained by the state committee or a local committee; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Rules.

By Senator Joyner—

SB 1682—A bill to be entitled An act relating to religious-exempt child care programs; amending s. 402.302, F.S.; defining the term “boarding school”; amending s. 402.316, F.S.; providing for a child care program affiliated with a religious congregation or religious boarding school to be exempt from regulation by the Department of Children and Families as a religious-exempt child care program; requiring religious-exempt child care programs to display a certificate of compliance issued by an accrediting agency recognized by the department; providing requirements for accrediting agencies recognized by the department; requiring a recognized accrediting agency to conduct an initial onsite review; providing timeframes within which child care programs must meet the requirements for training and credentials; requiring recognized accrediting agencies for religious-exempt child care programs to submit standards to the department; requiring the department to create and maintain a list of recognized accrediting agencies; providing that the act does not authorize the department to regulate specified elements of a religious-exempt child care program; requiring that the department notify recognized accrediting agencies of any revision in standards; requiring that a recognized accrediting agency submit an annual report; providing timeframes within which an exempt child care program must notify an accrediting agency of its transfer and termination of accreditation; prohibiting a recognized accrediting agency for religious exemption from owning, operating, or administering certain programs; requiring the department to facilitate an annual meeting; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

By Senator Altman—

SB 1684—A bill to be entitled An act relating to environmental regulation; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 253.0345, F.S.; revising provisions for the duration of leases and consents of use issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; exempting such leases and consents of use from certain fees; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing requirements for the calculation of lease fees for certain marinas; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 373.118, F.S.; revising provisions for general permits to provide for the expansion of certain marinas and limit the number of mooring fields authorized under such permits; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts; prohibiting government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well construction licenses required for construction, repair, or abandonment of

water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.403, F.S.; defining the term “mean annual flood line”; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from wetlands or water quality regulations; amending s. 373.709, F.S.; requiring water management districts to coordinate and cooperate with the Department of Agriculture and Consumer Services for regional water supply planning; providing criteria and requirements for determining agricultural water supply demand projections; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.021, F.S.; providing requirements and conditions for water quality testing, sampling, collection, and analysis by the department; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; amending s. 403.814, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program; providing program requirements; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Altman—

SB 1686—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; providing new definitions and revising existing definitions; amending s. 548.004, F.S.; revising the duties of the Executive Director of the Florida State Boxing Commission; amending s. 548.006, F.S.; clarifying provisions and providing exclusive jurisdiction to the commission relating to sanctioning bodies for mixed martial arts matches; amending s. 548.007, F.S.; providing exemptions from regulation for matches conducted by certain educational, military, and other organizations; amending s. 548.046, F.S.; providing sanctions for certain violations related to required testing for prohibited substances; amending s. 548.054, F.S.; clarifying provisions relating to hearings relating to the withholding of purses by promoters; amending s. 548.06, F.S.; providing financial recordkeeping requirements for promoters; providing for inspections and the adoption of rules by the commission; amending s. 548.07, F.S.; revising procedures relating to the suspension of licenses by the commission; providing for review by the General Counsel of the Department of Business and Professional Regulation; amending s. 548.073, F.S.; requiring all hearings to be held pursuant to ch. 120, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Altman—

SB 1688—A bill to be entitled An act relating to the telecommunications access system; amending s. 427.702, F.S.; revising legislative findings, purpose, and intent relating to the telecommunications access system; recognizing that the 21st Century Communications and Video Accessibility Act mandates additional safeguards ensuring that persons who have a hearing loss are able to access Internet-based and digital communications; amending s. 427.703, F.S.; revising definitions to conform to changes made by the act; amending s. 427.704, F.S.; revising the powers and duties of the Public Service Commission; requiring that the commission establish a recovery mechanism that requires commercial mobile radio service providers to impose a monthly surcharge on their subscribers; amending s. 427.705, F.S.; revising provisions relating to the administration of the telecommunications access system; providing for the distribution of wireless mobile devices to qualified persons; amending s. 427.706, F.S.; revising the membership of the advisory committee that assists the commission with the administration and operation of the telecommunications access system; amending s. 427.708, F.S.; requiring that the commission annually ensure that public safety and health care providers are complying with the requirement to

purchase and operate telecommunications devices for the deaf or any other appropriate telecommunications devices and submit a report of its findings to the advisory committee; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Bean—

SB 1690—A bill to be entitled An act relating to volunteer health services; amending s. 766.1115, F.S.; revising requirements for patient referral under the “Access to Health Care Act”; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; deleting provisions requiring the department to make specified rules concerning methods for determination and approval of patient eligibility and referral; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Gibson—

SB 1692—A bill to be entitled An act relating to health care coverage; amending ss. 627.6471 and 627.6472, F.S.; providing reimbursement rates applicable to payments by insurers for covered health care services provided in a hospital by physicians who are not members of a preferred provider network or exclusive provider network; providing requirements and limitations with respect to the collection of fees or payments for such services; defining the term “hospital-based physician” or “physician”; requiring an insurer to report certain violations to the Department of Health; amending s. 641.31, F.S.; providing applicability; amending s. 641.513, F.S.; providing reimbursement rates applicable to payments by health maintenance organizations for covered health care services provided in a hospital setting by physicians who do not have a contract with the health maintenance organization; providing requirements and limitations with respect to the collection of fees or payments for such services; defining the term “hospital-based physician” or “physician”; requiring a health maintenance organization to report certain violations to the Department of Health; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Margolis—

SB 1694—A bill to be entitled An act relating to fireworks; reordering and amending s. 791.01, F.S.; providing and revising definitions; amending s. 791.013, F.S.; revising terminology; deleting an obsolete provision; amending s. 791.02, F.S.; requiring each county to designate at least one area for the use of aerial devices; providing for interlocal agreements in lieu of such a designation; specifying minimum periods in which aerial devices may be used; providing for additional days for use of such devices by localities; prohibiting the sale or possession of consumer fireworks by persons under 18 years of age; providing an exception; prohibiting the sale of certain consumer fireworks; amending s. 791.04, F.S.; deleting an exemption from specified provisions for railroads or other transportation agencies for certain purposes; deleting an exemption for the sale of blank cartridges for specified purposes; amending s. 791.07, F.S.; revising an exemption from specified provisions for agricultural and fish hatchery uses; amending s. 870.045, F.S.; authorizing a prohibition on the sale of consumer fireworks and fireworks during a declared state of emergency; providing an effective date.

—was referred to the Committees on Community Affairs; and Commerce and Tourism.

By Senator Brandes—

SB 1696—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; defining the term “small business” as used in the Administrative Procedure Act; amending s. 120.56, F.S.; providing that the agency has the burden of proof in proceedings challenging the validity of existing rules and unadopted agency statements; amending s. 120.595, F.S.; removing certain exceptions from requirements that attorney fees and costs be rendered against the agency in proceedings in which the petitioner prevails in a challenge to an unadopted agency statement; amending s. 120.573, F.S.; authorizing any party to request mediation of rule challenge and declaratory statement proceedings; amending s. 120.695, F.S.; removing obsolete provisions with respect to required agency review and designation of minor violations; amending ss. 420.9072, 420.9075, and 443.091, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Judiciary; and Appropriations.

By Senator Latvala—

SB 1698—A bill to be entitled An act relating to developments of regional impact; repealing s. 380.065, F.S., relating to the certification of local governments to conduct development-of-regional-impact reviews; amending s. 369.303, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Rules.

By Senator Latvala—

SB 1700—A bill to be entitled An act relating to agricultural lands; repealing s. 604.006, F.S., relating to the mapping and monitoring of agricultural lands by the Department of Economic Opportunity; providing an effective date.

—was referred to the Committees on Agriculture; and Commerce and Tourism.

By Senator Latvala—

SB 1702—A bill to be entitled An act relating to the Florida Building Code; repealing s. 161.56(2), F.S., relating to the development and maintenance of a biennial coastal building zone construction training program; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Thompson—

SB 1704—A bill to be entitled An act relating to inmate reentry; providing definitions; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the court to screen and select eligible offenders for the program based on specified considerations; directing the department to notify the nonviolent offender’s sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court’s decision to approve or disapprove the requested placement within a specified period; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program;

requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; providing a court may schedule a hearing to consider any modifications to an imposed sentence; requiring the sentencing court to issue an order modifying the sentence imposed and placing the nonviolent offender on drug offender probation if the nonviolent offender’s performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a postadjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program, specifying information to be provided and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; providing that the section does not create a right to placement in the reentry program or any right to placement or early release under supervision of any type; providing that the section does not create a cause of action related to the program; providing that specified provisions are not severable; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations; and Rules.

By Senator Bullard—

SM 1706—A memorial to the Congress of the United States, urging Congress and the United States Food and Drug Administration to ban the use of pink slime in meat products or require labels on meat products containing pink slime.

—was referred to the Committee on Agriculture.

By Senator Bullard—

SB 1708—A bill to be entitled An act relating to the labeling of beef; amending s. 877.06, F.S.; requiring persons or entities operating restaurants, eating places, markets, or packinghouses to mark beef containing “pink slime” with certain words; authorizing enforcement by the Department of Agriculture and Consumer Services and the Department of Business and Professional Regulation; making technical and grammatical changes; providing criminal penalties; providing an effective date.

—was referred to the Committees on Agriculture; Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Evers—

SB 1710—A bill to be entitled An act relating to the sales and use tax on protection services; amending s. 212.05, F.S.; deleting provisions imposing the tax on detective, burglar protection, and other protection services; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Altman—

SB 1712—A bill to be entitled An act relating to stormwater management system fees; amending s. 403.0893, F.S.; providing that certain stormwater utility fees or per acreage fees constitute a lien on the land or premises until such fees are paid; establishing the priority of certain liens; providing for foreclosure of certain liens; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and Rules.

By Senator Bullard—

SB 1714—A bill to be entitled An act relating to long-term care insurance policies; amending s. 222.25, F.S.; providing an exemption from attachment, garnishment, or other legal process for a debtor's interest in a long-term care insurance policy; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Senator Garcia—

SB 1716—A bill to be entitled An act relating to growth management; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation or school concurrency or requiring proportionate-share contribution or construction for new development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Education.

By Senators Flores and Bullard—

SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be deposited and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and procedures relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of a college receiving surtax proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax unless reenacted by an ordinance approved at a subsequent referendum; providing an effective date.

—was referred to the Committees on Community Affairs; Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Galvano—

SB 1720—A bill to be entitled An act relating to college instruction; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction;

revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; specifying the academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate each state research university that meets certain criteria as a preeminent state research university; requiring the state research university that has attained the highest level on the academic and research excellence standard to establish an online arm of the university; providing requirements for the online arm of the university; providing membership of the board of directors that oversees the business of the university's online arm; providing for a quorum of the board of directors; requiring the board to develop a business plan and authorizing the board to contract with other entities and institutions; requiring the university to offer high-quality online baccalaureate degree programs and a master's degree in business administration; authorizing the university to offer online other master's degree programs; authorizing the university to develop and offer degree programs and courses that are competency based; requiring the university to periodically expand its offering of online baccalaureate degree programs and establish a tuition structure for its online arm; providing requirements for the tuition structure; requiring the state research university that has attained the second highest level on the academic and research excellence standards to recruit National Academy members, expedite provision of a master's degree in cloud virtualization, and institute an entrepreneurs-in-residence program throughout its campus; authorizing a preeminent state research university to require incoming college students to take specified courses; requiring the Board of Governors to identify and grant all reasonable, feasible authority and flexibility to keep a designated preeminent state research university free from unnecessary restrictions; providing that the Board of Governors is encouraged to establish standards and measures to recognize excellent programs in other state universities; amending s. 1004.02, F.S.; defining the term "developmental education" as it relates to public postsecondary education; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and computation skills that are essential to perform college-level work; deleting a prohibition against a student's enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each

Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations of noncompliance with law or Board of Governors' rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.; excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming terminology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Legg—

SB 1722—A bill to be entitled An act relating to school readiness programs; amending s. 411.01, F.S.; revising legislative intent related to operation of school readiness programs; defining terms for purposes of the School Readiness Act; revising the duties of the Office of Early Learning for administration of school readiness programs; providing for the preassessment and postassessment of children enrolled in school readiness programs; requiring early learning coalitions to annually contract with school readiness providers using a standardized statewide contract; authorizing the Office of Early Learning to adopt rules; revising the minimum number of children that each early learning coalition must serve; revising provisions related to the merger of coalitions; revising requirements for compliance by school readiness providers with state licensing requirements; revising provisions related to school readiness plans adopted by early learning coalitions; deleting provisions for the establishment of payment rates and sliding fee scales by early learning coalitions; revising procurement requirements and requirements for the expenditure of funds by early learning coalitions; revising the eligibility criteria for the enrollment of children in the school readiness program and the priorities by which children are enrolled; providing procedures and notice requirements for the disenrollment of children; providing reporting requirements for children who are absent from the program; providing for the allocation of school readiness funds and deleting provisions for the establishment of an allocation formula by the Office of Early Learning; limiting expenditures for administrative costs, quality activities, and nondirect services; providing for the payment of school readiness providers according to calculations of payment rates and sliding fee scales as provided in the General Appropriations Act; authorizing the Office of Early Learning to modify payment rates in certain geographic areas under certain circumstances; deleting a provision related to the applicability of provisions that conflict with federal requirements; defining the term “fraud” for purposes of the school readiness program; providing for investigations of fraud or overpayment

in the school readiness program; providing for the repayment of identified overpayments; limiting the participation of school readiness providers and parents in the program until repayment is made in full; providing penalties for acts of fraud; conforming provisions; conforming cross-references; creating s. 411.013, F.S.; creating the School Readiness Allocation Conference; providing for conference principals; requiring the Office of Early Learning to submit recommendations to the conference for an allocation formula for school readiness program funds; providing for review of the formula and agreement of the conference principals on conventions and calculation methods for the formula; requiring the Office of Early Learning to submit recommendations to the conference for establishing provider payment rates and parent copayments for a specified period; providing for the phase-in of the allocation formula during a specified period; amending ss. 216.136 and 411.0101, F.S.; conforming cross-references; amending s. 411.01013, F.S.; revising provisions for calculation of the prevailing market rate schedule; requiring school readiness providers to annually submit their market rates by a specified date; amending ss. 411.0106 and 445.023, F.S.; conforming cross-references; prohibiting the disenrollment of children enrolled in the school readiness program before the effective date of this act under certain circumstances; providing for applicability; providing effective dates.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Garcia—

SB 1724—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., entitled “Transitional Living Facilities”; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring an individual treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by a licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; requiring the agency, in consultation with the Department of Health, to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to access the provisions of s. 429.22, F.S., regarding receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop an electronic database for certain purposes; repealing s. 400.805, F.S., relating to transitional living facilities; amending s. 381.78, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Latvala—

SB 1726—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; defining the term “independent motor vehicle sales agent”; providing requirements for obtaining an independent motor vehicle sales agent license; providing a fee for licensure; conforming provisions to changes made by the act; amending ss. 316.2935, 319.33, 320.1316, 320.273, 501.021, and 537.012, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Senator Sachs—

SB 1728—A bill to be entitled An act relating to genetically engineered foods; creating s. 500.90, F.S.; providing definitions; providing a list of commercial commodities commonly cultivated in genetically engineered form and requiring the Department of Agriculture and Consumer Services to publish the list by a specified date and to update the published list annually; providing mandatory labeling requirements for genetically engineered raw agricultural commodities and processed foods made with or derived from genetically engineered ingredients; exempting specified foods, commodities, ingredients, and other substances from the labeling requirements; authorizing the department to adopt rules; providing for the enforcement of the labeling requirements; providing civil remedies and penalties; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Bean—

SB 1730—A bill to be entitled An act relating to public schools; creating s. 1012.47, F.S.; establishing the School Safety Marshal Program within the Department of Education; authorizing and requiring a school safety marshal to carry a concealed firearm on school grounds; authorizing school districts to participate in the program after following certain procedures; requiring school districts to provide notice of intent to participate in the program to employees and parents of students within the district; prohibiting the department from appointing a school safety marshal on its own initiative; prohibiting school districts from appointing a school safety marshal or authorizing a person to carry a firearm on school grounds; providing criteria for appointment as a school safety marshal; requiring the Department of Law Enforcement to issue an identification card to a school safety marshal; prescribing information that must be present on the marshal identification card; requiring a school safety marshal to carry the marshal identification card on school grounds; prohibiting a school safety marshal from carrying an unapproved firearm or ammunition; prohibiting the display or use of a firearm by a school safety marshal in certain circumstances; providing that a school safety marshal bears the cost for equipment and training required for the marshal program; requiring a school safety marshal to complete annual training; providing that a school safety marshal is entitled to a stipend from the school district; requiring school districts to pay the school safety marshal stipend; authorizing school districts to allocate safety dollars to fund school safety marshals; providing that personal information of a school safety marshal is exempt from public records requirements; prescribing circumstances under which a school safety marshal may be removed from the program; eliminating right to carry a firearm on school ground for a school safety marshal who is removed from the program; authorizing school districts to withdraw from the program after providing certain notices; requiring the Department of Education and the Department of Law Enforcement to adopt rules; amending s. 790.06, F.S.; conforming provisions; amending s. 790.115, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education; Criminal Justice; Appropriations Subcommittee on Education; and Appropriations.

By Senator Braynon—

SB 1732—A bill to be entitled An act relating to health care; creating the “Florida Hospital Patient Protection Act”; providing legislative findings; providing definitions; providing minimum staffing level requirements for the ratio of direct care registered nurses to patients in a health care facility; requiring that each health care facility implement a staffing plan; prohibiting the imposition of mandatory overtime and certain other actions by a health care facility; specifying the required nurse-to-patient ratios for each type of care provided; prohibiting the use of video cameras or monitors by a health care facility as a substitute for the required level of care; requiring that the chief nursing officer of a health care facility prepare a written staffing plan that meets the staffing levels required by the act; requiring that a health care facility annually evaluate its actual staffing levels and update the staffing plan based on the evaluation; requiring that certain documentation be submitted to the Agency for Health Care Administration and made available for public inspection; requiring that the agency develop uniform standards for use by health care facilities in establishing nurse staffing requirements; providing requirements for the committee members who are appointed to develop the uniform standards; requiring health care facilities to annually report certain information to the agency and post a notice containing such information in each unit of the facility; prohibiting a health care facility from assigning unlicensed personnel to perform functions or tasks that are performed by a licensed or registered nurse; specifying those actions that constitute professional practice by a direct care registered nurse; requiring that patient assessment be performed only by a direct care registered nurse; authorizing a direct care registered nurse to assign certain specified activities to other licensed or unlicensed nursing staff; prohibiting a health care facility from deploying technology that limits certain care provided by a direct care registered nurse; providing that it is a duty and right of a direct care registered nurse to act as the patient’s advocate; providing certain requirements with respect to such duty; authorizing a direct care registered nurse to refuse to perform certain activities if he or she determines that it is not in the best interests of the patient; providing that a direct care registered nurse may refuse to accept an assignment under certain circumstances; prohibiting a health care facility from discharging, discriminating, or retaliating against a nurse based on such refusal; providing that a direct care registered nurse has a right of action against a health care facility that violates certain provisions of the act; requiring that the Agency for Health Care Administration establish a toll-free telephone hotline to provide information and to receive reports of violations of the act; requiring that certain information be provided to each patient who is admitted to a health care facility; prohibiting a health care facility from interfering with the right of nurses to organize or bargain collectively; authorizing the agency to impose fines for violations of the act; requiring that the agency post in its website information regarding health care facilities that have violated the act; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Flores—

SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S., and information relating to the existence of such an expunged criminal history record that is provided in accordance with specified provisions; prohibiting violations relating to certain confidential information; providing criminal penalties; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Senator Altman—

SB 1736—A bill to be entitled An act relating to mental health; amending s. 394.463, F.S.; revising criteria for involuntary examination; specifying who may submit a petition for an ex parte order for involuntary examination; deleting a requirement that a less restrictive

means be unavailable before a law enforcement officer may take a person into custody for an involuntary examination; providing a requirement for a report; revising discharge requirements if a person no longer meets the criteria for involuntary admission; amending s. 394.469, F.S.; specifying when an involuntary patient is eligible for discharge; revising discharge requirements for involuntary patients; amending s. 394.4625, F.S.; providing additional discharge requirements for voluntary patients; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Appropriations.

By Senator Margolis—

SB 1738—A bill to be entitled An act relating to pet services and welfare programs; creating part VII of ch. 125, F.S.; authorizing counties to create independent special districts to provide funding for pet services and welfare programs; creating a Pets' Trust council; providing for council membership, powers, and functions; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Negron—

SJR 1740—A joint resolution proposing an amendment to Section 2 of Article V and the creation of a new section to Article XII of the State Constitution to prohibit a court from requiring or authorizing collateral or postconviction judicial review of a capital case except as provided for by general law and providing an effective date.

—was referred to the Committees on Judiciary; Appropriations; and Rules.

By Senator Braynon—

SB 1742—A bill to be entitled An act relating to drug-dependent offenders; creating s. 948.205, F.S.; requiring the court to order an offender to submit to a professional diagnostic assessment under specified circumstances; providing circumstances in which the court may choose not to order a diagnostic assessment; specifying criteria to be used in determining whether an offender is drug dependent; requiring the court to place on the written record its reasons for not ordering a professional diagnostic assessment; clarifying the court's authority to order drug testing or screening; defining terms; requiring the court to sentence an offender to special probation if the court finds that an offender is drug dependent and in need of treatment; requiring certain offenders to participate in a court-supervised drug treatment program; providing circumstances in which the court need not order the offender to participate in drug treatment; providing for the ineligibility of some offenders to be sentenced to special probation; requiring the court to consider all relevant circumstances in determining whether to sentence an offender to special probation and to place the reasons for its decision on the record; providing that an order sentencing an offender to special probation is not final until the state attorney has an opportunity to appeal the sentence; defining the term "person in need of treatment"; requiring a court to order a drug-dependent person who is ineligible for regular probation to be sentenced to a term of special-probation drug treatment; providing that an offender may be sentenced to special probation for up to 5 years; requiring the court to find certain facts before ordering special-probation drug treatment; requiring the court to consider certain factors in determining whether residential or nonresidential treatment is appropriate; providing the conditions for special probation imposed on the offender for participating in special probation; providing criteria that make an offender ineligible for special-probation drug treatment programs; requiring an offender who is placed on special probation to be immediately transferred to the custody of a residential treatment facility licensed and approved by the Department of Children and Families and the Department of Health; providing that an offender be transferred to a prison for not more than 6 months if there is no vacancy at a residential treatment facility at the time of sentencing; providing that an offender complete his or her special probation in a nonresidential program after completing the residential placement; requiring the probation department or other appropriate agency designated by the court to monitor or supervise the offender's special probation; requiring that the agencies

report periodically to the court as to the offender's progress in treatment and compliance with court-imposed terms and conditions; requiring the special-probation treatment provider to promptly report to the probation department or other appropriate agency all significant failures by the offender to comply with a court-imposed term or condition of special-probation drug treatment, including a positive drug or alcohol test or the unexcused failure to attend a required program event; providing penalties for an offender violating any term or condition of special probation; providing an exception; providing criteria for the court to consider in determining whether to revoke special probation; providing alternative sentences if the offender's special probation is revoked; providing for additional terms and conditions with which the offender must comply if the court orders continued special probation; providing penalties for an offender refusing to submit to a drug test; specifying that certain persons may institute proceedings if they believes the offender has violated the terms or conditions of special probation; authorizing the court to temporarily incarcerate an offender under certain circumstances in order to motivate the offender to make satisfactory progress in the treatment program; requiring a participating offender to pay, to the extent determined possible, the cost of special-probation drug treatment, as well as any fines, fees, penalties, or restitution applicable to the original offense; authorizing the court to temporarily suspend imposition of all or any portion of the term of treatment in a residential treatment facility to allow the offender to enter a nonresidential treatment program; providing criteria that may justify the transfer to a nonresidential treatment program; providing that a state attorney may object to a proposed transfer; providing that the court may permanently suspend the transfer of an offender to residential treatment if there has been satisfactory progress in treatment; requiring the court to order at least weekly drug and alcohol tests, appropriate curfews, and restrictions on movement if residential treatment is temporarily suspended; requiring notification to the court and state attorney under certain circumstances; providing for the revocation of special probation in certain circumstances; authorizing early discharge from special probation under specified circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Bullard—

SB 1744—A bill to be entitled An act relating to the Public Service Commission; amending s. 112.324, F.S., relating to the code of conduct for public officers; removing a reference to the Florida Public Service Commission Nominating Council; amending s. 350.001, F.S.; removing a provision for participation by the Governor in the process for selection of members of the commission; amending s. 350.01, F.S.; providing for nonpartisan election of commissioners; providing for commission districts; providing for terms of commissioners; providing for the filling of vacancies on the commission; limiting the number of years a commissioner may serve; requiring the commission to consult with the Public Counsel before ruling on any change of rates; amending s. 350.041, F.S.; prohibiting a commissioner from accepting employment at certain business entities until a specified time after the commissioner has left office; prohibiting a candidate for the office of commissioner from accepting contributions from certain regulated entities; amending ss. 350.042 and 350.043, F.S.; removing references to conform to changes made by the act; amending s. 350.0605, F.S.; increasing the length of time a former member may not accept employment or compensation from a public utility regulated by the commission; amending 350.0611, F.S.; revising duties of the Public Counsel; repealing s. 350.031, F.S., relating to the Florida Public Service Commission Nominating Council; providing effective dates.

—was referred to the Committees on Communications, Energy, and Public Utilities; Ethics and Elections; and Rules.

By Senator Braynon—

SB 1746—A bill to be entitled An act relating to community associations; amending s. 718.111, F.S.; revising requirements relating to the preparation and completion of the homeowners' association's annual financial report; revising the requirements for a financial report based on the association's number of units; revising the requirements for a financial report based on the amount of a condominium's revenues;

amending s. 719.104, F.S.; revising requirements with respect to cooperative financial statements and reports; revising application; amending s. 720.303, F.S.; revising requirements relating to the preparation and completion of the condominium association's annual financial report; revising the requirements for a financial report based on the community's size; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Evers—

SB 1748—A bill to be entitled An act relating to Medicaid nursing home eligibility; amending s. 409.902, F.S.; specifying limitations and sanctions on persons transferring assets in order to become eligible for Medicaid nursing facility services; making technical corrections; requiring the Department of Children and Families to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Negron—

SB 1750—A bill to be entitled An act relating to postconviction capital case proceedings; providing a short title; amending ss. 27.40, 27.51, 27.511, 27.5303, and 27.5304, F.S.; removing the right to have appointed counsel in clemency proceedings; repealing s. 27.701(2), F.S., relating to the pilot project for capital representation; amending s. 27.702, F.S.; providing that the capital collateral regional counsel and the attorneys appointed pursuant to law shall file only those postconviction or collateral actions authorized by statute; amending s. 27.703, F.S.; providing that if the collateral counsel believes continued representation of a person creates a conflict of interest, the court shall hold a hearing to determine if a conflict actually exists; amending s. 27.708, F.S.; directing capital collateral counsel to comply with statutory requirements rather than rules of court; amending s. 27.7081, F.S., relating to public records; defining terms; describing access to public records; proscribing procedures to obtain relevant records; amending s. 27.7091, F.S.; removing a request to the Supreme Court to adopt by rule the provisions that limit the time for postconviction proceedings in capital cases; amending s. 27.711, F.S.; revising provisions to conform to changes made by the act; amending s. 922.095, F.S.; providing that any postconviction claim not pursued within the statutory time limits is barred; reenacting s. 922.108, F.S., relating to sentencing orders in capital cases; amending s. 924.055, F.S.; providing legislative intent; directing courts to expedite postconviction proceedings; amending s. 924.056, F.S.; providing that the section governs all postconviction proceedings in every capital case in which the conviction and sentence of death have been affirmed on direct appeal on or after a specified date; providing for the appointment of postconviction counsel; amending s. 924.057, F.S.; providing that the section governs all postconviction proceeding to capital postconviction actions brought before a specified date; making technical changes; amending s. 924.058, F.S.; providing that the section regulates procedures in actions involving successive postconviction motions in all postconviction proceedings in capital cases affirmed on or after a specified date; creating s. 924.0581, F.S.; providing that the section governs capital postconviction appeals to the Florida Supreme Court in every capital case in which the conviction and sentence of death have been affirmed on direct appeal on or after a specified date; creating s. 924.0585, F.S.; requiring the Florida Supreme Court to annually report to the Speaker of the Florida House of Representatives and the President of the Florida Senate concerning the status of each capital case in which a postconviction action has been filed that has been pending for more than 3 years; amending s. 924.059, F.S.; providing procedures to resolve conflicts of interest in capital postconviction proceedings; creating s. 924.0591, F.S.; providing that a death-sentenced inmate pursuing collateral relief who is found by the court to be mentally incompetent shall not be proceeded against; providing procedures for competency examinations and hearings; creating s. 924.0592, F.S.; providing that the section governs all postconviction proceedings in every capital case in which the conviction and sentence of death have been affirmed on direct appeal on or after a specified date and in which a death warrant has been issued; creating s. 924.0593, F.S.; governing procedures relating to claims of insanity at the time of execution; creating s. 924.0594, F.S.;

providing procedures that apply if an inmate seeks both to dismiss a pending postconviction proceeding and to discharge collateral counsel; providing for severability; providing for a contingent effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Braynon—

SB 1752—A bill to be entitled An act relating to driver licenses and driving privileges; creating the “Driver’s Accountability Act”; amending s. 318.18, F.S.; providing a criminal and civil penalty payment alternative when a court finds the violator has demonstrable financial hardship; amending s. 322.34, F.S., relating to driving while a license is suspended, revoked, canceled, or disqualified; revising penalty provisions; amending s. 322.245, F.S.; revising provisions for the Department of Highway Safety and Motor Vehicles to suspend the license of a person who has failed to pay a financial obligation for a criminal offense; amending ss. 921.0022 and 932.701, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Senator Evers—

SB 1754—A bill to be entitled An act relating to administrative review of property taxes; amending s. 194.011, F.S.; providing that presiding magistrates must use a specified manual in certain proceedings; amending s. 194.015, F.S.; deleting the requirement that a value adjustment board must appoint private counsel; prohibiting a meeting of the value adjustment board unless the presiding magistrate is present; creating s. 194.016, F.S.; requiring the Department of Revenue to appoint a presiding magistrate for each county value adjustment board; providing qualifications, compensation, requirements, responsibilities, and duties with respect to presiding magistrates; amending s. 194.035, F.S.; requiring presiding magistrates to appoint special magistrates; deleting a requirement that the value adjustment board appoint special magistrates in counties having more than a specified population; deleting a requirement that the Department of Revenue provide a list of qualified special magistrates to counties having less than a specified population; deleting certain requirements relating to the training of persons designated to hear petitions before the board in certain counties that do not appoint special magistrates; amending s. 195.002, F.S.; requiring a separate school account and program account in the Certification Program Trust Fund in the State Treasury for funding certain expenses with respect to presiding magistrates; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Senator Montford—

SB 1756—A bill to be entitled An act relating to public records; creating s. 595.409, F.S.; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—was referred to the Committees on Agriculture; Governmental Oversight and Accountability; and Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; and Governmental Oversight and Accountability; and Senators Negron and Evers—

CS for CS for SB 50—A bill to be entitled An act relating to public meetings; creating s. 286.0114, F.S.; defining “board or commission”; requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; providing exceptions; establishing requirements for rules or policies adopted by the board or commission; providing that compliance with the requirements of this section is deemed to have occurred under certain circumstances; providing that a circuit court has jurisdiction to issue an injunction under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that an action taken by a board or commission which is found in violation of this section is not void; providing that the act fulfills an important state interest; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Transportation; and Senators Detert, Montford, Margolis, Richter, Latvala, Abruzzo, and Benacquisto—

CS for CS for SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

By the Committee on Judiciary; and Senator Negron—

CS for SB 286—A bill to be entitled An act relating to design professionals; amending s. 558.002, F.S.; redefining the term “design professional”; creating s. 558.0035, F.S.; specifying conditions under which a design professional employed by a business entity or an agent of the business entity may not be held individually liable for damages resulting from negligence occurring within the course and scope of a professional services contract; defining the term “business entity”; amending ss. 471.023, 472.021, 481.219, 481.319, and 492.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Ring—

CS for SB 416—A bill to be entitled An act relating to the inspection of licensed child care facilities; requiring that the Department of Children and Families or a local licensing agency give a copy of the inspection report to each parent whose child attends that licensed child care facility; requiring that the department or local licensing agency give a copy of the report, at no cost, to the parent within 72 hours after the report is completed and accepted by the department or local licensing agency; providing an effective date.

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

CS for SB 446—A bill to be entitled An act relating to the economic development incentive application process; amending s. 288.061, F.S.; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain

performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or non-renewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; providing an effective date.

By the Committee on Health Policy; and Senator Detert—

CS for SB 536—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing physical therapists to implement physical therapy treatment plans of a specified duration which are provided by advanced registered nurse practitioners; providing an effective date.

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

CS for SB 572—A bill to be entitled An act relating to reporting requirements for economic development programs; creating s. 288.076, F.S.; providing definitions; requiring the Department of Economic Opportunity to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and the department to publish the description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; providing an effective date.

By the Committee on Health Policy; and Senator Galvano—

CS for SB 612—A bill to be entitled An act relating to health care practitioners; amending s. 456.072, F.S.; requiring that certain health care practitioners make specified disclosures when introducing themselves as “doctor” when rendering health care; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Simmons—

CS for SB 714—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information held by an electric utility that is subject to ch. 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the retention of such information for a specified

time; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Brandes—

CS for SB 794—A bill to be entitled An act relating to Medicaid eligibility; creating s. 409.995, F.S.; providing conditions for the Department of Children and Families to evaluate an applicant’s life insurance policy when determining eligibility for Medicaid services; authorizing the Agency for Health Care Administration to use federal or state funds under the Medicaid program to pay life insurance premiums of an applicant or recipient under certain circumstances; providing restrictions on the sale, assignation, or transfer of ownership of a life insurance policy for which the state is named as a beneficiary or which is collaterally assigned to the state; providing for proceeds to be paid to a beneficiary under certain conditions; providing conditions for the owner of a life insurance policy to enter into a viatical settlement contract with a health care services provider for coverage of Medicaid long-term care services; specifying content of the contract; requiring that all marketing materials, actuarial memoranda, and pricing methodologies used by the viatical settlement provider be filed with and approved by the Office of Insurance Regulation; requiring the office to conduct market examinations and financial audits of certain viatical settlement providers; requiring the department to provide notice of life insurance policy options; authorizing the department, the agency, and the office to adopt rules; authorizing the agency to seek state plan amendments and federal waivers; defining the term “value”; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Gardiner—

CS for SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

**REFERENCE CHANGES
PURSUANT TO RULE 4.7(2)**

By the Committee on Children, Families, and Elder Affairs; and Senator Brandes—

CS for SB 794—A bill to be entitled An act relating to Medicaid eligibility; creating s. 409.995, F.S.; providing conditions for the Department of Children and Families to evaluate an applicant’s life insurance policy when determining eligibility for Medicaid services; authorizing the Agency for Health Care Administration to use federal or state funds under the Medicaid program to pay life insurance premiums of an applicant or recipient under certain circumstances; providing restrictions on the sale, assignation, or transfer of ownership of a life insurance policy for which the state is named as a beneficiary or which is collaterally assigned to the state; providing for proceeds to be paid to a beneficiary under certain conditions; providing conditions for the owner of a life insurance policy to enter into a viatical settlement contract with a health care services provider for coverage of Medicaid long-term care services; specifying content of the contract; requiring that all marketing materials, actuarial memoranda, and pricing methodologies used by the viatical settlement provider be filed with and approved by the Office of Insurance Regulation; requiring the office to conduct market examinations and financial audits of certain viatical settlement providers; requiring the department to provide notice of life insurance policy options; authorizing the department, the agency, and the office to adopt rules; authorizing the agency to seek state plan amendments and federal waivers; defining the term “value”; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

CO-INTRODUCERS

Senators Abruzzo—SB 130; Altman—SB 718; Benacquisto—SB 716; Brandes—SB 1472; Bullard—SB 130, SB 1718; Clemens—SB 488, CS for SB 846; Dean—SB 716, SB 1122; Evers—SB 260; Gardiner—SB 952; Gibson—SB 716, CS for SB 846, SB 922; Lee—SB 504; Margolis—SB 130, SB 936; Simpson—SB 130, SB 1472; Smith—SB 958, SB 984; Stargel—CS for SB 846, SB 1076; Thrasher—SB 922



Journal of the Senate

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CALL TO ORDER

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

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Excused: Senator Thompson

PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Director of Chabad Lubavitch, Tallahassee:

Almighty God, master of the universe, as we move into a fresh new season, let us spring ahead into a world of hope and possibility, and let our winter of lethargy fall behind.

As we begin Nissan, the Jewish Month of Redemption from Egyptian slavery, the month of Passover, bless us with freedom from modern slavery: enslavement to our habits, captivity to inside-the-box thinking about our challenges, and servitude to our worries.

Almighty God, grant us redemption: redemption from the habits, reflexive thinking, and worries that betray our better selves, and may our enslavement to these false prisoners be replaced with the spiritual energy of hope.

Bless us this month with spiritual freedom and the wisdom and capacity to channel that freedom into results for the people of Florida. Bless the honorable members of the Senate and its honorable President, Don Gaetz. May they work together for the greatest good of all Flor-

idians. May they break all barriers that would divide them, overcome all obstacles that would stop them, and may they actualize the truest meaning of freedom in their lives and the lives of those they serve.

Almighty Creator, let us always remember that “redemption” is not a quaint legend from an old book that happened in a different time to a different nation, but a cornerstone of our spiritual lives today—a very real model for our personal struggle to become better people. Bless us with an escape from the slavery of our own personal Egypt and narrow thinking today, and may we all be blessed as witnesses of the redemption of the entire universe speedily in our days, and let us say, Amen.

PLEDGE

Senate Pages Zachary Solloway of Lake Worth; Joseph LaFauci of Brandon; Matthew Detert of North Port, grandson of Senator Detert; Stephanie Detert of Venice, granddaughter of Senator Detert; and Grace Beatty of Fort Myers led the Senate in the pledge of allegiance to the flag of the United States of America.

MOMENT OF SILENCE

On motion by Senator Hukill, the Senate observed a moment of silence for United States Army Private First Class Markie T. Sims of Citra, Florida, who died on December 29, 2012, in Afghanistan while serving in Operation Enduring Freedom.

ADOPTION OF RESOLUTIONS

On motion by Senator Joyner—

By Senator Joyner—

SR 1772—A resolution remembering the lifetime public service of retired Florida Supreme Court Justice and former Senator Frederick “Fred” Brennan Karl and recognizing his legacy of integrity and his promotion of the highest ethical standards in government.

WHEREAS, native son Frederick “Fred” Brennan Karl was born in Daytona Beach on May 14, 1924, and

WHEREAS, at age 18, Fred Karl joined the United States Army, serving in the European Theater of Operations in the 20th and 2nd Armored Divisions, and

WHEREAS, Fred Karl was wounded in the Battle of the Bulge, which he later chronicled in his book *Python Tales*, and was awarded the Silver Star, the Bronze Star, and the Purple Heart, and

WHEREAS, after World War II, Fred Karl graduated from the University of Florida and Stetson University College of Law, and

WHEREAS, in 1956, Fred Karl was elected to the Florida House of Representatives, where he represented the people of the 14th District until 1964, and

WHEREAS, in 1968, Fred Karl returned to Tallahassee to represent the people of the 14th District in the Florida Senate, where he served until 1971, and

WHEREAS, in 1977, Fred Karl was elected to the Florida Supreme Court, where he served from 1977 through 1978, and

WHEREAS, Fred Karl went on to serve as this state’s first Public Counsel, representing consumers in cases brought against public uti-

lities, and later held the position of Hillsborough County Attorney and County Manager, and

WHEREAS, it was in this position that Fred Karl embarked on the vital reorganization and countless economic development projects that led the Tampa Bay area to become the vibrant community that it is today, and

WHEREAS, at an age when many might consider retirement, Fred Karl took the reins of the then-struggling Tampa General Hospital, transforming its operations and leading it back to economic viability, and

WHEREAS, while Fred Karl is remembered in political circles as one of Hillsborough County's greatest political mentors and problem solvers, he is remembered by his friends and family for his exuberance, vitality, cheerfulness, and love of life, and

WHEREAS, Fred Karl was a devoted husband to his wife, Mercedes, a loving and proud father to his children, Cynthia, Linda, Mary, Fred, and James, and a doting grandfather of fifteen and great-grandfather of four, all of whom will miss him greatly, NOW, THEREFORE,

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

That we remember the life of retired Florida Supreme Court Justice and former Senator Frederick "Fred" Brennan Karl and extend our heartfelt sympathy to his friends, family, and the entire Hillsborough County community as they mourn the loss of this outstanding friend, husband, father, and public servant.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 1772** was read the second time in full and adopted.

MOMENT OF SILENCE

On motion by Senator Joyner, the Senate observed a moment of silence for the Honorable Frederick "Fred" Brennan Karl, retired Florida Supreme Court Justice and former Senator, who passed away on March 7, 2013.

On motion by Senator Joyner—

By Senator Joyner—

SR 798—A resolution celebrating the 2013 sesquicentennial of the signing of the Emancipation Proclamation and recognizing February 2013 as "Black History Month" in Florida.

WHEREAS, Floridians recently celebrated the birth month of two great Americans, Abraham Lincoln and Frederick Douglass, both of them leaders in the movement to abolish slavery, and joined all Americans in recognizing February as the month to commemorate the contributions of African Americans to our society, and

WHEREAS, across this great nation, we joined together in celebrating the 2013 Black History Month theme, "At the Crossroads of Freedom and Equality," and

WHEREAS, long ago, approximately 12 million African men, women, and children were forcibly removed from their homelands, enslaved, and placed on ships that sailed to the Western Hemisphere, and

WHEREAS, approximately 2 million African men, women, and children died on the Middle Passage, but 10 million survived and arrived in America, where they and their children lived in slavery, and

WHEREAS, the Civil War erupted because the ideals upon which this country were founded are in direct conflict with slavery, a tenet recognized by the ratification of the 13th Amendment, which abolished slavery in the United States of America, and

WHEREAS, the Emancipation Proclamation was signed by President Lincoln on January 1, 1863, thus making 2013 the 150th anniversary of that declaration making slaves in all confederate states "free forever," and

WHEREAS, our nation has celebrated Black history during the month of February since 1926, when Carter G. Woodson established Negro History Week, and

WHEREAS, the Civil Rights Movement of the 20th century began in an effort to correct the failures of Reconstruction and erase the remnants of slavery still evident in Jim Crow laws, in continued segregation in nearly every aspect of daily life, and in the persistence of second-class citizenship for African Americans, and

WHEREAS, 50 years ago, in March 1963, the historic March on Washington was led by the late Dr. Martin Luther King, Jr., who delivered his now famous "I Have a Dream" speech on the steps of the Lincoln Memorial, foretelling the passage of the Civil Rights Act of 1964, and

WHEREAS, as a testament to the strength of all African Americans throughout these struggles, we note the contributions to the political and social growth of American society of Harriet Tubman, Sojourner Truth, Frederick Douglass, W.E.B. DuBois, Booker T. Washington, George Washington Carver, Carter G. Woodson, Malcolm X, Thurgood Marshall, Reverend Dr. Martin Luther King, Jr., Fannie Lou Hamer, Shirley Chisholm, Barbara Jordan, and Dorothy Height, and

WHEREAS, the culture of the United States of America has been vitally enriched through the contributions of African American musicians, artists, and writers, including Louis Armstrong, Count Basie, Duke Ellington, Billie Holiday, Charlie Parker, Ella Fitzgerald, Dizzy Gillespie, Leontyne Price, Marian Anderson, Andre Watts, James DePreist, Phyllis Wheatley, Langston Hughes, James Baldwin, Richard Wright, Alex Haley, Maya Angelou, Alice Walker, Gwendolyn Brooks, Toni Morrison, Oprah Winfrey, Angela Bassett, Jennifer Hudson, Anika Noni Rose, Denzel Washington, and Hill Harper, and

WHEREAS, African American sports figures have demonstrated their ability to be role models on and off the field and in and out of the ring as they stood up for their rights and beliefs, and these legendary athletes include Jesse Owens, Arthur Ashe, Muhammad Ali, Lee Roy Selmon, Freddie Solomon, Venus and Serena Williams, and Florida native Robert "Bullet Bob" Hayes, the first athlete to earn both an Olympic Gold Medal and an NFL Super Bowl Ring, and

WHEREAS, the fields of medicine, science, and technology have all been advanced by the contributions of African American men and women, including Dr. Charles Drew, Dr. Daniel Hale Williams, Garrett Morgan, George Washington Carver, Dr. Mae C. Jemison, and Dr. Benjamin Carson, and

WHEREAS, native Floridians, including Zora Neale Hurston, Charles Kenzie Steele, Sr., Jesse K. McCrary, Jr., Joseph E. Lee, Asa Philip Randolph, Mary McLeod Bethune, and Patricia Stephens Due have proudly represented our state as they contributed to the history and culture of the United States of America, and

WHEREAS, it is important to celebrate the many achievements of African Americans in an effort to offer each American a broader perspective of the history of this nation and an appreciation for the diversity that makes this great nation strong, NOW, THEREFORE,

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

That we celebrate the 2013 sesquicentennial of the signing of the Emancipation Proclamation and recognize February 2013 as "Black History Month" in Florida.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 798** was read the second time by title and adopted.

On motion by Senator Latvala—

By Senator Latvala—

SR 1148—A resolution recognizing Elsie Marie Calvert Thompson, the oldest living American.

WHEREAS, Elsie Marie Calvert was born on April 5, 1899, in Beaver Falls, Pennsylvania, and

WHEREAS, in 1921, Elsie Marie Calvert married Ronald "Ron" L. Thompson, an Army Veteran of World War I and World War II, who went on to serve in the Pennsylvania House of Representatives for 22 years, and

WHEREAS, during World War II, Elsie Marie Calvert Thompson successfully ran her husband's gold refinery business, but she most enjoyed her role as a devoted wife and mother, and

WHEREAS, in 1971, Elsie and Ron retired to Clearwater, where they purchased a condominium just off U.S. 19, where Elsie still resides, and

WHEREAS, until she turned 102 years old, Elsie made an annual trip to California to visit her now 72-year-old son, George, and his children and grandchildren, but he now visits her in the Sunshine State, and

WHEREAS, on January 2, 2013, Elsie Marie Calvert Thompson became the oldest living American and, on January 12, 2013, became the fifth-oldest living person in the world, and

WHEREAS, on January 13, 2013, Elsie Marie Calvert Thompson entered the list of the 100 oldest women of all time, and

WHEREAS, when asked her secret to living a long life, Elsie Marie Calvert Thompson replied, "I love people," NOW, THEREFORE,

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

That we recognize one of Clearwater's greatest treasures, Elsie Marie Calvert Thompson, the oldest living American.

—was introduced out of order and read by title. On motion by Senator Latvala, **SR 1148** was read the second time by title and adopted.

At the request of Senator Clemens—

By Senator Clemens—

SR 1760—A resolution recognizing March 11, 2013, as "World Plumbing Day" in Florida.

WHEREAS, World Plumbing Day was founded on March 11, 2010, as a way to highlight the important role played by the plumbing industry and today's plumbing professionals, and

WHEREAS, the World Plumbing Council and the International Association of Plumbing and Mechanical Officials are in the forefront of protecting the health and safety of the nation and the world through the use of the Uniform Plumbing and Mechanical Codes developed by licensed, trained professionals, and

WHEREAS, many who live in industrialized and developed countries take for granted the ability to obtain clean water quickly and easily from a tap or faucet and do not fully appreciate the convenience of having access to flushing toilets, and

WHEREAS, in developing countries, plumbing is either nonexistent or very basic and leads to the development of serious health concerns, and

WHEREAS, millions of people die each year due to lack of access to clean drinking water and living in unsanitary conditions, and

WHEREAS, according to the World Health Organization, 1.1 billion people around the globe do not have access to safe water supplies, 2.6 billion do not have access to healthy sanitation systems, and 3.1 million children die annually as a result of water-related diseases, and

WHEREAS, on March 11, 2013, industry representatives from across the globe will gather to bring attention to the important role plumbing professionals play in society, NOW, THEREFORE,

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

That we recognize March 11, 2013, as "World Plumbing Day" in Florida.

—**SR 1760** was introduced, read and adopted by publication.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz
President, The Florida Senate

March 12, 2013

Dear President Gaetz:

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>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy	
Appointees: Borders-Byrd, Cynthia	10/31/2015
Caldwell, Maria E.	10/31/2015
Dennis, David L.	10/31/2014
Fennema, Martin G.	10/31/2014
Vogel, Harold S.	10/31/2014
Board of Architecture and Interior Design	
Appointees: Costoya, Francisco, Jr.	10/31/2014
Emo, Warren A.	10/31/2013
Fishburne, Kenan Ann	10/31/2014
Rodriguez, Miguel A.	10/31/2015
Toppe, Jonathan R.	10/31/2013
Construction Industry Licensing Board	
Appointees: Cathey, William Brian	10/31/2014
Kane, Richard	10/31/2014
Korelishn, Albert C.	10/31/2013
Moody, Robert W., Jr.	10/31/2015
Board of Dentistry	
Appointees: Gesek, Daniel J., Jr.	10/31/2015
Thomas, Joseph J.	10/31/2014
Winker, Wade G.	10/31/2014
Electrical Contractors' Licensing Board	
Appointees: Flaherty, Brian	10/31/2015
Smith, Benjamin E.	10/31/2013
Board of Funeral, Cemetery, and Consumer Services	
Appointees: Anderson, Jean W.	09/30/2015
Clark, Andrew D.	09/30/2015
Helm, Powell	09/30/2015
Board of Professional Geologists	
Appointee: Dale, Mervin W.	10/31/2013
Board of Landscape Architecture	
Appointees: Kissinger, Paul D.	10/31/2014
Powell, Charles David	10/31/2014
Board of Nursing	
Appointees: Connors, Leonard J.	10/31/2014
Kirkpatrick, Lavigne Ann	10/31/2014
Newman, Jody Bryant	10/31/2013
Board of Nursing Home Administrators	
Appointee: Myers, Keith A.	10/31/2014
Board of Pharmacy	
Appointees: Fallon, Leo J.	10/31/2015
Glass, Debra B.	10/31/2015
Mesaros, Jeffrey J.	10/31/2014
Mullins, DeAnn M.	10/31/2013
Risch, Lorena	10/31/2014
Board of Physical Therapy Practice	
Appointee: Lohr, Clint E.	10/31/2013
Board of Pilot Commissioners	
Appointees: Bryson, Eric C.	10/31/2013
Fernandez, John R.	10/31/2014
Ulrich, David T.	10/31/2015

SPECIAL ORDER CALENDAR

<i>Office and Appointment</i>		<i>For Term</i>
		<i>Ending</i>
Tampa Port Authority		
Appointees:	Brown, William A.	11/15/2015
	Lindell, Carl, Jr.	11/14/2014
	Swindal, Stephen W.	02/06/2016

Board of Psychology		
Appointee:	Orta, Luis E.	10/31/2014

The following executive appointments were referred to the Senate Committee on Education 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 Trustees, Florida Atlantic University		
Appointee:	Teske, Julius J.	01/06/2016
Board of Trustees, Florida State University		
Appointee:	Bense, Allan G.	01/06/2016
Board of Trustees, Florida Gulf Coast University		
Appointees:	Little, John R.	01/06/2015
	Priddy, Russell A.	01/06/2016

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Jack Latvala, Chairman

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

The vote was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Nays—None

SB 686—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2013 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2013 shall be effective immediately upon publication; providing that general laws enacted during the March 14-28, 2012, special session and prior thereto and not included in the Florida Statutes 2013 are repealed; providing that general laws enacted during the 2013 regular session are not repealed by this adoption act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 686** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Grimsley	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thrasher
Detert	Margolis	
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Hays

SB 688—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 106.25, 110.201, 120.525, 120.54, 120.542, 120.545, 120.555, 120.56, 120.565, 120.63, 120.745, 120.80, 120.81, 155.40, 159.703, 161.053, 202.22, 215.555, 252.62, 252.63, 255.0525, 280.11, 310.151, 320.642, 334.30, 339.135, 339.155, 343.875, 343.962, 348.0004, 349.22, 366.04, 373.036, 373.044, 373.103, 373.4131, 378.212, 379.2431, 380.05, 395.003, 403.201, 403.805, 403.8055, 403.9411, 403.9422, 408.039, 409.912, 493.6104, 553.775, 561.19, 570.247, 601.152, 627.091, 633.0215, 633.026, 658.26, 766.105, 791.013, 957.12, and 1006.33, F.S., to conform to the directive of the Legislature in section 3 of chapter 2012-63, Laws of Florida, to prepare a reviser’s bill for the 2013 Regular Session of the Legislature to substitute the term “Florida Administrative Register” for the term “Florida Administrative Weekly” throughout the Florida Statutes; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 688** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Evers, Thrasher

CS for SB 690—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45, 20.15, 20.28, 39.001, 39.0139, 39.201, 40.011, 61.1825, 63.082, 63.2325, 97.0585, 112.63, 120.54, 120.745, 121.055, 121.085, 121.091, 159.823, 163.3246, 163.340, 189.4042, 190.046, 211.02, 215.5601, 215.97, 218.32, 252.385, 252.939, 252.940, 252.941, 252.942, 253.034, 255.2575, 259.032, 282.201, 288.1254, 288.71025, 288.980, 295.07, 311.101, 316.0083, 316.640, 320.20, 322.142, 322.2615, 339.135, 339.2825, 341.840, 343.805, 343.91, 344.17, 348.752, 349.02, 373.227, 373.250, 373.536, 376.3071, 379.2433, 379.3581, 380.0662, 381.004, 381.00593, 381.0065, 381.0101, 391.026, 400.172, 400.915, 400.9905, 403.086, 403.511, 403.9416, 414.295, 420.503, 420.5087, 430.205, 430.80, 430.81, 443.091, 443.111, 443.171, 466.007, 475.6235, 489.118, 499.01, 500.09, 538.23, 553.98, 570.451, 580.036, 586.10, 601.03, 601.15, 601.61, 601.9910, 610.109, 624.402, 626.2815, 626.8734, 626.9362, 626.989, 626.9895, 627.3511, 641.312, 651.118, 817.234, 877.101, 921.0022, 945.355, 948.08, 948.16, 960.003, 985.03, 1003.43, 1003.52, 1006.062, 1006.20, 1006.282, 1009.67, 1009.971, and 1013.231, F.S.; reenacting and amending s. 339.0805, F.S.; reenacting s. 322.21, F.S.; and repealing ss. 202.38 and 252.945, F.S., deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote CS for SB 690 was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Evers, Margolis, Abruzzo, Flores, Montford, Altman, Galvano, Negron, Bean, Garcia, Richter, Benacquisto, Gardiner, Ring, Bradley, Gibson, Sachs, Brandes, Grimsley, Simmons, Braynon, Hays, Simpson, Bullard, Hukill, Smith, Clemens, Joyner, Sobel, Dean, Latvala, Soto, Detert, Lee, Stargel, Diaz de la Portilla, Legg, Thrasher

Nays—None

SB 692—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 206.608(3), 220.1896, 253.034(13) and (16), 332.007(8), 339.08(4), 401.465(2)(i), 406.61(3), 946.515(8), and 1010.10, F.S.; and amending ss. 215.555(4)(b), 339.135(4)(a) and (5), 394.908(3), and 893.055(7)(d), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2013 Florida Statutes only through a reviser’s bill duly enacted by the Legislature; amending s. 220.02(8), F.S., to conform a cross-reference; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote SB 692 was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Bean, Brandes, Abruzzo, Benacquisto, Braynon, Altman, Bradley, Bullard

Table with 3 columns: Clemens, Grimsley, Richter, Dean, Hays, Ring, Detert, Hukill, Sachs, Diaz de la Portilla, Joyner, Simmons, Evers, Latvala, Simpson, Flores, Lee, Smith, Galvano, Legg, Sobel, Garcia, Margolis, Soto, Gardiner, Montford, Stargel, Gibson, Negron, Thrasher

Nays—None

SB 694—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 10.00001, 10.00002, 10.00003, 10.00004, 10.00005, 10.00006, 10.00007, and 10.00008, F.S.; deleting provisions providing for apportionment of the districts for the State Senate and House of Representatives that have been superseded; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote SB 694 was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Mr. President, Evers, Margolis, Abruzzo, Flores, Montford, Altman, Galvano, Negron, Bean, Garcia, Richter, Benacquisto, Gardiner, Ring, Bradley, Gibson, Sachs, Brandes, Grimsley, Simmons, Braynon, Hays, Simpson, Bullard, Hukill, Smith, Clemens, Joyner, Sobel, Dean, Latvala, Soto, Detert, Lee, Stargel, Diaz de la Portilla, Legg, Thrasher

Nays—None

SB 994—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 17.28, 23.1231, 43.291, 110.118, 112.361, 119.0712, 120.65, 201.165, 202.37, 207.021, 207.0281, 212.097, 212.098, 215.61, 238.03, 258.0165, 288.1045, 288.108, 288.706, 288.816, 316.0747, 316.525, 317.0005, 320.0657, 320.0848, 322.161, 324.0221, 339.2817, 339.55, 376.121, 376.317, 379.245, 380.0666, 391.304, 391.305, 393.0641, 395.0185, 395.605, 397.99, 397.998, 400.063, 400.176, 400.801, 402.22, 402.3025, 402.81, 403.7191, 409.2576, 409.2578, 409.441, 409.9101, 411.224, 414.158, 414.1585, 414.35, 415.1105, 420.5091, 430.708, 430.902, 443.1312, 443.1313, 455.2255, 456.053, 472.017, 489.146, 496.414, 497.381, 501.0583, 509.036, 548.024, 559.10, 561.41, 578.26, 582.055, 601.74, 601.76, 607.193, 624.487, 627.096, 627.212, 627.917, 633.445, 641.316, 655.922, 658.995, 668.704, 713.78, 713.785, 744.7021, 744.713, 766.304, 865.09, 943.0543, 943.0544, 944.095, 945.73, 946.525, 949.08, 985.66, 1011.48, 1011.51, 1011.765, 1012.467, and 1012.965, F.S.; and repealing ss. 112.358, 199.1851, 220.1501, 328.44, 328.50, 403.0861, 409.14511, 409.2675, 411.205, 553.897, 563.04, 564.04, 601.75, 601.77, 601.78, 627.793, 634.289, 663.319, and 984.05, F.S.; to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, to prepare a reviser’s bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority; amending ss. 213.053, 400.518, 556.116, 564.06, and 601.80, F.S.; to conform to the changes made in this act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote SB 994 was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Nays—None

On motion by Senator Gardiner—

SB 200—A bill to be entitled An act relating to trust funds; re-creating the Transportation Revenue Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0815(4), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 200** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 202—A bill to be entitled An act relating to trust funds; re-creating the Transportation Governmental Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0816(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 202** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 204—A bill to be entitled An act relating to the termination of trust funds within the Department of Transportation; terminating the Everglades Parkway Construction Trust Fund; terminating the Jacksonville Transportation Authority Project Construction Trust Fund; providing for the transfer of any balances or revenues in the trust funds; requiring that the department pay outstanding debts or obligations of the trust funds; requiring that the Chief Financial Officer close out and remove the terminated funds from the state accounting systems; terminating the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for the transfer of any balances or revenues in the trust fund; requiring that the department pay outstanding debts or obligations of the trust fund; requiring that the Chief Financial Officer close out and remove the terminated fund from the various state accounting systems; repealing s. 339.082, F.S., relating to the Federal Law Enforcement Trust Fund; repealing s. 932.7055(6)(j), F.S., relating to an exception to proceeds deposited into the General Revenue Fund by the Department of Transportation; repealing s. 2(2)(b) and (f) of ch. 2004-235, L.O.F., relating to an exemption from termination for the Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 204** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 206—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of State without modification; repealing s. 20.105(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 206** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 208—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Economic Opportunity without modification; repealing s. 20.181(3), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 208** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 210—A bill to be entitled An act relating to trust funds; re-creating the Clearing Funds Trust Fund within the Department of State without modification; repealing s. 20.104(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 210** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 212—A bill to be entitled An act relating to trust funds; amending s. 379.204, F.S.; providing that the Fish and Wildlife Conservation Commission may return certain cash balances transferred for cash flow needs when they are no longer needed for that purpose; amending s. 379.207, F.S.; deleting a restriction on an expenditure from the Lifetime Fish and Wildlife Trust Fund; amending s. 379.212, F.S.; renaming the Fish and Wildlife Habitat Program as the Land Acquisition Trust Fund; creating s. 379.213, F.S.; providing for the administration and funding of the Save the Manatee Trust Fund; creating s. 379.214, F.S.; providing for the administration and funding of the Invasive Plant Control Trust Fund; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (464330) (with title amendment)—Delete lines 19-27.

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to trust funds; amending s.

Pursuant to Rule 4.19, **SB 212** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 214—A bill to be entitled An act relating to trust funds; terminating the Florida Forever Program Trust Fund within the Department of Environmental Protection; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust fund; prescribing procedures for the termination of the trust fund; re-

pealing s. 380.5115, F.S., relating to the Florida Forever Program Trust Fund within the Department of Environmental Protection; amending s. 259.101, F.S.; revising the designation of revenues from the disposal of lands in the Preservation 2000 program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 214** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 216—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Management Services without modification; repealing s. 20.221(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 216** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 218—A bill to be entitled An act relating to trust funds; re-creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation without modification; repealing s. 494.00173(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 218** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 220—A bill to be entitled An act relating to trust funds; re-creating the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.715(2), F.S.; abrogating provisions relating to the scheduled termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 220** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negrón—

CS for CS for SB 50—A bill to be entitled An act relating to public meetings; creating s. 286.0114, F.S.; defining “board or commission”; requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; providing exceptions; establishing requirements for rules or policies adopted by the board or commission; providing that compliance with the requirements of this section is deemed to have occurred under certain circumstances; providing that a circuit court has jurisdiction to issue an injunction under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that an action taken by a board or commission which is found in violation of this section is not void; providing that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 50** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 336—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; clarifying that the

proceeds of the tax may be used for the benefit of certain museums or aquariums; clarifying that the tax automatically expires upon the retirement of all bonds issued by the county for financing certain facilities; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (560320)—Delete lines 31-65 and insert:

~~2. To promote Tax revenues received pursuant to this section may also be used for promotion of zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public; However, these purposes may be implemented through service contracts and leases with lessees with sufficient expertise or financial capability to operate such facilities;~~

~~3.2.~~ To promote and advertise tourism in ~~this state the State of Florida~~ and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event ~~must shall~~ have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;

~~4.3.~~ To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; or

5.4. To finance beach park facilities or beach improvement, maintenance, renourishment, restoration, and erosion control, including shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state’s Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of fewer less than 100,000 population, up to no more than 10 percent of the revenues from the tourist development tax may be used for beach park facilities.

Subparagraphs 1. and 2. may be implemented through service contracts and leases with lessees that have sufficient expertise or financial capability to operate such facilities.

Pursuant to Rule 4.19, **CS for CS for SB 336** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS

Senator Margolis moved that Rule 3.7(1) be waived to allow a bill to be filed for introduction, notwithstanding that the filing deadline had passed. The President referred the motion to the Committee on Rules.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Garcia, by two-thirds vote **SR 838** and **SR 932** were withdrawn from further consideration.

On motion by Senator Smith, by two-thirds vote **SB 1456** was withdrawn from committees of reference and further consideration.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **SB 686**, **SB 688**, **CS for SB 690**, **SB 692**, **SB 694**, and **SB 994** were ordered immediately certified to the House.

REPORTS OF COMMITTEES

The Committee on Criminal Justice recommends the following pass: CS for SB 86

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

The Committee on Education recommends the following pass: SB 318

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

The Committee on Transportation recommends the following pass: CS for SB 372

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Transportation recommends the following pass: SB 750

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 788

The Committee on Ethics and Elections recommends the following pass: SB 1352 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1132 with 7 amendments

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

The Committee on Transportation recommends the following pass: SB 664

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

The Committee on Agriculture recommends the following pass: SB 1190

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1042

The Committee on Transportation recommends the following pass: SB 766

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 742

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

The Committee on Transportation recommends the following pass: SB 402 with 1 amendment; SB 628; SB 954

The bills were referred to the Committee on Rules under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1096

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

The Committee on Education recommends a committee substitute for the following: SB 1076

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

The Committee on Community Affairs recommends committee substitutes for the following: SB 522; SB 538; SB 564; SB 770

The bills with committee substitute attached were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1040

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 448

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1024

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 844

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 658

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

The Committee on Agriculture recommends committee substitutes for the following: SB 674; SB 1106

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 534

The Committee on Judiciary recommends a committee substitute for the following: SB 404

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

The Committee on Judiciary recommends a committee substitute for the following: SB 112

The Committee on Regulated Industries recommends a committee substitute for the following: SB 874

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 366

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 442

The Committee on Education recommends a committee substitute for the following: SB 434

The Committee on Ethics and Elections recommends committee substitutes for the following: SB 544; SB 1260

The Committee on Judiciary recommends committee substitutes for the following: SB 58; SB 556

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 370

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 528

The Committee on Criminal Justice recommends committee substitutes for the following: SB 400; SB 540; SB 542; SB 672; SB 678

The Committee on Health Policy recommends a committee substitute for the following: SB 646

The Committee on Regulated Industries recommends a committee substitute for the following: SB 696

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 156

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

The Committee on Education recommends committee substitutes for the following: SB 878; SB 904

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 166

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 62; SB 224; CS for SB 328

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Finance and Tax recommends a committee substitute for the following: SB 306

Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 160; CS for SB 278

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, University of Central Florida	
Appointees: Garvy, Robert A.	01/06/2015
Marchena, Marcos R.	01/06/2016

Board of Trustees, University of North Florida

Appointee: Wamble-King, Sharon	01/06/2016
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The Committee on Education recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Governors of the State University System	
Appointee: Webster, Elizabeth	01/06/2019

Board of Trustees, Florida State University

Appointee: Gruters, Joseph R.	01/06/2016
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Board of Trustees, Florida Gulf Coast University

Appointee: McShea, Dorene	01/06/2016
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Board of Trustees, New College of Florida

Appointee: Snyder, Steven L.	01/06/2016
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Board of Trustees, University of Florida

Appointees: Heekin, William Michael, Esquire	01/06/2016
Roulhac, Juliet M.	01/06/2015

Board of Trustees, University of South Florida

Appointees: Ramil, John B.	01/06/2016
Semler, Debbie Nye	01/06/2016

Board of Trustees, University of West Florida

Appointee: Patel, Jayprakash S.	01/06/2016
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The appointments were referred to the Committee on Ethics and Elections under the original reference.

**INTRODUCTION AND
REFERENCE OF BILLS**

FIRST READING

Senate Resolutions 1758-1760—Not referenced.

By the Committee on Governmental Oversight and Accountability—

SB 1762—A bill to be entitled An act relating to state technology; transferring, renumbering, and amending s. 14.204, F.S.; creating the Department of State Technology; providing for the organizational structure of the department; creating a Technology Advisory Council and providing for membership; amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; requiring the department to develop a long-range plan; providing the powers and duties of the department; amending s. 282.0056, F.S.; conforming provisions to changes made by the act; creating s. 282.0057, F.S.; providing a schedule for the initiation of department information technology projects; specifying tasks to be approved and completed; amending s. 282.203, F.S.; conforming provisions to changes made by the act; providing for future repeal; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services to the department, co-location services to the Department of Legal Services and the Department of Agriculture and Consumer Services, and host the Legislative Appropriations System/Planning and Budgeting Subsystem; providing for governance of the center; authorizing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center; amending s. 282.318, F.S.; conforming provisions to changes made by the act; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.604, 282.702, 282.703, 20.22, 110.205, 215.22, 215.322, 215.96, 216.292, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; transferring the personnel, functions, and funds of the Agency for Enterprise Information Technology to the Department of State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Department of State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the department; providing an appropriation; providing effective dates.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By the Committee on Governmental Oversight and Accountability—

SB 1764—A bill to be entitled An act relating to transparency in government spending; amending s. 215.985, F.S.; adding a definition; requiring the Executive Office of the Governor to establish a single website providing access to other websites; revising provisions relating to the establishment of a website relating to the approved operating budget; requiring the office to establish a website providing information about fiscal planning for the state and specifying the information to be included on the website; requiring the Department of Management Services to maintain a website that provides current information on state employees and officers; revising provisions requiring the Legislative Auditing Committee to provide recommendations to the Legislature about adding other information to a website; requiring website managers to provide information about the cost of creating and maintaining each website; revising provisions relating to access to the state contract management system to require that such information be accessible through a website; requiring state agencies to post certain information on the system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; providing procedures for removing such information from the system; authorizing the Chief Financial Of-

ficer to make certain information available on a website for viewing and downloading by the public and providing guidelines for regulation of such website; providing applicability of public record requests for information posted on the website; authorizing the Chief Financial Officer to adopt rules; creating the User Experience Task Force to develop and recommend a design for consolidating existing state-managed websites; providing for membership; providing for staffing; requiring reports; providing for expiration; providing for an appropriation; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Transportation—

SB 1766—A bill to be entitled An act relating to driver licenses; amending s. 322.04, F.S.; revising requirements relating to exemptions from licensure requirements for nonresidents; deleting a requirement that residents of foreign countries hold an International Driving Permit to be exempt; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committee on Transportation—

SB 1768—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; deleting provisions relating to the future repeal of an exemption from public records requirements for certain personal identifying information of persons using paratransit services; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By the Committee on Banking and Insurance—

SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; creating s. 215.5551, F.S.; creating the Florida Catastrophe Risk Capital Access Facility to increase the access of small domestic insurers to risk-capital markets; providing intent; establishing the facility in the State Board of Administration; providing the purposes of the facility; requiring the facility to be funded entirely by participating insurers after initial apportionment; providing limitations; providing for a board of directors; providing immunity from liability; providing for an annual report; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; requiring the Florida Commission on Hurricane Loss Projection Methodology to consider methods for improving the accuracy of wind mitigation discounts; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; revising the criteria for when the office may hold a public hearing regarding a rate filing; amending s. 627.171, F.S.; allowing a consent to an excess rate to apply to subsequent policy renewals; limiting the allowable amount of excess rates to counties where there is no competition; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; deleting provisions allowing a policyholder removed

from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk load factor; providing exceptions; limiting rate increases for specified personal and commercial lines residential policies and allowing an additional rate increase; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation; amending s. 627.405, F.S.; authorizing policyholders to assign benefits subject to conditions in the policy; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation's approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; requiring a Notice of Change in Policy Terms form to be filed with a changed renewal policy; providing effective dates.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

SR 1772—Not referenced.

By Senator Bullard—

SB 1774—A bill to be entitled An act relating to the Florida Keys Aqueduct Authority, Monroe County; amending chapter 76-441, Laws of Florida, as amended; providing that the members of the board of directors of the authority shall be elected rather than appointed; providing an effective date.

—was referred to the Committee on Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senators Hays and Evers—

CS for SB 58—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term "foreign law, legal code, or system"; clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person's fundamental liberties,

rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senators Hays, Abruzzo, Simpson, Evers, and Lee—

CS for CS for SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; requiring an affidavit; requiring the Department of Highway Safety and Motor Vehicles to issue a decal; providing specifications for the decal; providing for a fee; providing an effective date.

By the Committee on Judiciary; and Senator Dean—

CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud another, a document relating to the ownership, transfer, or encumbrance of or claim against real or personal property, or any interest in real or personal property, which the person knows contains a material misstatement or misrepresentations; providing criminal penalties; establishing reclassified penalties that increase criminal penalties for persons who commit the specified offenses a second or more times, who are convicted offenders who commit unlawful acts while incarcerated in a jail or participating in community correctional programs, and when the victim of the offense is a public officer or employee under certain circumstances; authorizing the court to issue injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation, under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term "public officer or employee"; providing criminal penalties for a person who impersonates a public official or employee or who, under color of law, intimidates certain specified officials; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing an effective date.

By the Committee on Community Affairs; and Senator Detert—

CS for SB 156—A bill to be entitled An act relating to swimming pools and spas; amending s. 489.103, F.S.; providing an exemption from licensure requirements for an owner or operator maintaining a swimming pool or spa for the purpose of water treatment; amending s. 489.105, F.S.; revising the definition of the terms "contractor," "commercial pool/spa contractor," "residential pool/spa contractor," and "swimming pool/spa servicing contractor" to include the cleaning, maintenance, and water treatment of swimming pools and spas; conforming provisions to changes made by the act; amending s. 489.111, F.S.; revising eligibility requirements to take the swimming pool/spa servicing contractors' examination; providing the Department of Business and Professional Regulation with the authority to adopt rules; providing an effective date.

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

CS for CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions;

providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

By the Committee on Appropriations; and Senator Detert—

CS for SB 224—A bill to be entitled An act relating to the Florida Small Business Development Center Network; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Latvala—

CS for CS for SB 328—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; providing an effective date.

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

CS for SB 366—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and

recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing terms and the process for filling vacancies; specifying that any former poet laureate becomes a State Poet Laureate Emeritus or State Poet Laureate Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus and the State Poet Laureate Emerita shall serve without compensation; authorizing the department to adopt rules; providing an effective date.

By the Committee on Regulated Industries; and Senator Sachs—

CS for SB 370—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

By the Committee on Criminal Justice; and Senator Dean—

CS for SB 400—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; providing that it is a third degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a crime if the defendant has previously been convicted of such offense and the information is communicated in writing, or, if the information is communicated orally, the information is corroborated in a specified manner; providing an effective date.

By the Committee on Judiciary; and Senator Stargel—

CS for SB 404—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

By the Committee on Education; and Senator Altman—

CS for SB 434—A bill to be entitled An act relating to Brevard Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as “Eastern Florida State College”; providing an effective date.

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

CS for SB 442—A bill to be entitled An act relating to relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment and terms of commission members; providing for the reimbursement of per diem and travel expenses for commission members; authorizing the commission to establish or designate a direct-support organization for specified purposes; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Dean and Simpson—

CS for SB 448—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term “navigation rules” for purposes of provisions relating to vessels; amending s. 379.101, F.S.; revising the definition of the term “resident” or “resident of Florida” for purposes of provisions relating to recreational and nonrecreational activity licenses; providing for certain evidence of residence; revising the definition of the term “resident alien” to remove a county residency requirement; amending s. 379.353, F.S.; exempting individuals participating in certain outdoor recreational events from requirements for a hunting or fishing license or permit; amending s. 379.354, F.S.; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a saltwater products license; providing an effective date.

By the Committee on Community Affairs; and Senator Bradley—

CS for SB 522—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts manufacturing biodiesel fuel for internal use from certain reporting, bonding, and licensing requirements applicable to biodiesel manufacturers; amending s. 206.874, F.S.; requiring such entities to file a return and pay a tax on such biodiesel fuel; providing an effective date.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 528—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; clarifying the prohibition on an initiative or referendum process in regard to development orders; clarifying the prohibition on an initiative or referendum process in regard to comprehensive plan amendments and map amendments; clarifying that the exception to the prohibition on an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is limited to a local government charter provision in effect on June 1, 2011, that specifically authorized an initiative or referendum process for local comprehensive plan or map amendments that affect more than five parcels of land; providing legislative intent; providing for retroactive application; providing an effective date.

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

CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date and specifying the assumptions and methods to be used in determining the information submitted; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

By the Committee on Community Affairs; and Senators Ring and Negrón—

CS for SB 538—A bill to be entitled An act relating to special districts; creating s. 189.4052, F.S.; providing definitions; requiring certain single-county independent special districts to administratively consolidate with the municipality or county in which they are located if such consolidation will result in increased efficiencies; providing for the dissolution of the district for failure to comply; providing that the municipality or county appoint all future district board members; limiting the insurance benefits of district officers and employees to the benefits provided by the local governing authority to its officers and employees; requiring the district to make an annual presentation to the municipality or county; amending s. 189.4035, F.S.; requiring the official list of districts to include the names and contact information of governing board members; amending s. 189.404, F.S.; providing limitations on reimbursement for travel and per diem for district officers and employees; amending s. 189.412, F.S.; requiring the Special District Information Program to provide a link to each special district website; amending s. 189.416, F.S.; requiring each district to provide the names of and contact information for its board members for posting on the local governing authority's website or the Department of Economic Opportunity's master list of districts; amending s. 190.008, F.S.; revising the information that must be presented by a community development district to the local governing authority and requiring the information to be provided at a publicly noticed meeting; requiring a district's proposed budget, adopted amendments, and final adopted budget to be posted on its website or the website of the local general-purpose government; providing an effective date.

By the Committee on Criminal Justice; and Senator Dean—

CS for SB 540—A bill to be entitled An act relating to mandatory supervision of specified offenders by the Department of Corrections; providing legislative intent; amending s. 944.291, F.S.; requiring that persons convicted on or after a specified date of crimes in specified categories be released only under mandatory supervision; amending s. 947.1405, F.S.; renaming the conditional release program as the “mandatory supervision program”; creating a reporting requirement; amending ss. 216.136, 394.926, 394.927, 775.084, 775.16, 775.21, 775.261, 893.11, 943.0435, 943.325, 944.171, 944.28, 944.606, 944.607, 944.608, 944.70, 945.36, 947.071, 947.13, 947.141, 947.16, 947.22,

947.24, 948.09, 948.32, and 957.06, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

By the Committee on Criminal Justice; and Senator Braynon—

CS for SB 542—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for certain criminal intelligence information and criminal investigative information that might reveal the identity of a person who is a victim of human trafficking or a photograph, videotape, or image of any part of the body of the victim of human trafficking; amending s. 794.024, F.S.; prohibiting a public employee or officer who has access to identifying information of a person who is alleged to be the victim of human trafficking from willfully and knowingly disclosing the information to a person who is not assisting in the investigation or prosecution of the alleged offense; reenacting s. 92.56(1)(a), F.S., relating to judicial proceedings and court records involving sexual offenses, to incorporate the amendment made to s. 119.071, F.S., in a reference thereto; providing for review and repeal; providing a statement of public necessity; providing an effective date.

By the Committee on Ethics and Elections; and Senator Braynon—

CS for SB 544—A bill to be entitled An act relating to exemption from legislative lobbying requirements; amending s. 11.045, F.S.; revising the term “expenditure” to exclude the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, to exempt such use from legislative lobbying requirements; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 57.081, F.S.; clarifying that, with the exception of charges for issuance of a summons, the prepayment of costs is not required upon a certification of indigence; amending s. 57.082, F.S.; providing for the inclusion of certain filing fees in payment plans; amending s. 101.151, F.S.; clarifying when the office title “Clerk of the Circuit Court and Comptroller” may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; providing an effective date.

By the Committee on Community Affairs; and Senator Simmons—

CS for SB 564—A bill to be entitled An act relating to neighborhood improvement districts; amending ss. 163.2511, 163.2517, 163.3182, 163.3246, and 163.387, F.S.; conforming provisions to changes made by the act; amending s. 163.501, F.S.; renaming the “Safe Neighborhoods Act” as the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising and deleting definitions; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood improvement districts; amending s. 163.5055, F.S.; deleting the requirement that each neighborhood improvement district authorized under law no-

tify the Department of Legal Affairs of its existence; removing the requirement that a local governing body notify the Department of Legal Affairs of a dissolution of a district; deleting an obsolete provision; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district by the enactment of an ordinance; specifying that the ordinance may authorize the improvement district to borrow money, contract loans, and issue bonds or other evidence of indebtedness; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district; authorizing the district to make and collect special assessments; conditioning the exercise of power by the local government neighborhood improvement district to borrow money, contract loans, issue bonds, charge, collect, and enforce fees, make and collect special assessments, and levy ad valorem taxes upon real and tangible personal property within the district upon the approval of a referendum by the freeholders of the district; providing ballot requirements; removing provisions allowing an alternative organization for the board of directors; revising requirements for dissolving a district; amending s. 163.508, F.S., relating to property owners’ association neighborhood improvement districts; revising the requirements for creating a property owners’ association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants; requiring that the property owners form an association or use an existing property owners’ association that is a not-for-profit corporation; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s. 163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; revising the powers of neighborhood improvement districts; authorizing the district to contract with legal counsel and other needed professionals; authorizing the district to improve, plan, design, construct, operate, provide, and maintain certain facilities; authorizing the district to collect special assessments under certain circumstances and following implementation of designated procedures; amending s. 163.5151, F.S.; requiring a local government and a special neighborhood improvement district levying an ad valorem tax on real or personal property to prepare a budget in a specified manner; amending s. 163.516, F.S.; requiring that neighborhood improvement plans be created for each improvement district; revising the contents of the neighborhood improvement plan; conforming provisions to changes made by the act; repealing s. 163.517, F.S., relating to the Safe Neighborhoods Program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs relating to neighborhood improvement districts; repealing s. 163.521, F.S., relating to funding for a neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of existing laws relating to neighborhood improvement districts; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to cooperation and involvement of community organizations in the creation of safe neighborhood improvement districts; amending s. 163.524, F.S.; limiting application of provisions governing Neighborhood Preservation and Enhancement Districts and Neighborhood Councils to those districts and councils that were active on or before a specified date; prohibiting new Neighborhood Preservation and Enhancement Districts and Neighborhood Councils from being created after a specified date; amending ss. 163.526, 376.84, 775.083, and 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Health Policy; and Children, Families, and Elder Affairs—

CS for SB 646—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring that the community living support plan be completed and provided to the administrator of a facility upon the mental health re-

sident's admission; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory oversight organization under certain circumstances; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee to discuss issues and concerns in areas affecting rights, health, safety, and welfare of residents and make recommendations for improvement; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; revising the actions in which the agency may deny, revoke, or suspend the license of an assisted living facility and impose an administrative fine; revising the criteria upon which the agency must deny or revoke the license of an assisted living facility; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate some or all of its residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.28, F.S.; requiring that residents of facilities be informed that the identity of the resident and complainant in a complaint made to the State Long-Term Care Ombudsman Program is confidential and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations;

requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; providing an effective date.

By the Committee on Regulated Industries; and Senators Simpson, Ring, Brandes, Evers, Joyner, Hays, and Thompson—

CS for SB 658—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing additional allowable capacity for individual containers of wine sold in this state; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 672—A bill to be entitled An act relating to juvenile justice; repealing s. 945.75, F.S.; deleting a requirement that the Department of Corrections and counties develop programs under which a judge may order juveniles who have committed delinquent acts to tour correctional facilities; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officer position within the Department of Juvenile Justice; amending s. 121.0515, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Agriculture; and Senators Montford and Sachs—

CS for SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 678—A bill to be entitled An act relating to juvenile justice; creating s. 985.702, F.S.; providing definitions; providing for the imposition of criminal penalties against specified employees who inflict cruel or inhuman treatment upon juvenile offenders; providing enhanced penalties for such treatment that results in great bodily harm, permanent disability, or permanent disfigurement to a juvenile offender; specifying that such conduct constitutes sufficient cause for an employee's dismissal from employment; prohibiting such employee from future employment with the juvenile justice system; providing incident reporting requirements; prohibiting an employee who witnesses such an incident from knowingly or willfully failing to report; prohibiting false reporting, preventing another from reporting, or coercing another to alter testimony or reports; providing penalties; amending s. 985.701, F.S.; defining the term "juvenile offender" for purposes of prohibiting sexual misconduct with juvenile offenders; providing an effective date.

By the Committee on Regulated Industries; and Senator Stargel—

CS for SB 696—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising the definition of "timeshare estate"; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for per-

fection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

By the Committee on Community Affairs; and Senator Ring—

CS for SB 770—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers by the local government neighborhood improvement district upon referendum approval by the electors of the district; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 844—A bill to be entitled An act relating to Medicaid fraud; amending s. 409.907, F.S.; increasing the number of years a provider must keep records; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; adding definitions for “administrative fines” and “outstanding overpayment”; revising provisions relating to the agency’s onsite inspection responsibilities; revising provisions relating to who is subject to background screening; amending s. 409.913, F.S.; increasing the number of years a provider must keep records; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; providing an effective date.

By the Committee on Regulated Industries; and Senator Galvano—

CS for SB 874—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions; prohibiting a person from allowing a party to take place if a minor is in possession of or consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

By the Committee on Education; and Senator Galvano—

CS for SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state’s K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee’s duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; revising the legislative intent with regard to the state’s K-20 education performance accountability system; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to orga-

nizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the “Research Engine”; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share education records of students which may contain students’ personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including colocated schools, and students whose assessment data is used in determining school grades; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school’s school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

By the Committee on Education; and Senator Brandes—

CS for SB 904—A bill to be entitled An act relating to education; creating s. 1007.012, F.S.; creating the Florida Accredited Courses and Tests Initiative (FACTs); providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to satisfy certain requirements; defining the term “Florida-accredited course” as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited courses and their assessments be annually identified, approved, published, and shared for consideration by certain students and entities; requiring the Commissioner of Education and the Chancellor of the State University System to approve each Florida-accredited course and its assessments; requiring the Articulation Coordinating Committee to annually publish and share a list of approved Florida-accredited courses, their assessments, and other courses; amending s. 1008.24, F.S.; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited courses; authorizing the Department of Education to contract for these services on behalf of the state or a school district, Florida College System institution, or state university; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; providing an effective date.

By the Committees on Community Affairs; and Commerce and Tourism—

CS for SB 1024—A bill to be entitled An act relating to the Department of Economic Opportunity; amending ss. 20.60, 288.906, and 288.907, F.S.; revising requirements for various annual reports submitted to the Governor and Legislature, including the annual report of the Department of Economic Opportunity, the annual report of En-

terprise Florida, Inc., and the annual incentives report; consolidating the reporting requirements for various economic development programs into these annual reports; amending ss. 220.194, 288.012, 288.061, and 288.0656, F.S.; conforming provisions to changes made by the act; amending s. 288.095, F.S.; deleting requirements for an annual report related to certain payments made from the Economic Development Incentives Account of the Economic Development Trust Fund; amending ss. 288.106, 288.1081, 288.1082, 288.1088, and 288.1089, F.S.; conforming provisions to changes made by the act; amending s. 288.1226, F.S.; revising membership of the board of directors of the Florida Tourism Industry Marketing Corporation; providing that the Governor shall serve as a nonvoting member; amending ss. 288.1253, 288.1254, and 288.1258, F.S.; revising requirements for annual reports by the Office of Film and Entertainment; amending ss. 288.714 and 288.7771, F.S.; conforming provisions to changes made by the act; amending s. 288.903, F.S.; revising the duties of Enterprise Florida, Inc., with respect to preparation of the annual incentives report; amending ss. 288.92, 288.95155, 290.0056, and 290.014, F.S.; conforming provisions to changes made by the act; amending ss. 290.0411 and 290.042, F.S.; revising legislative intent and definitions applicable to the Florida Small Cities Community Development Block Grant Program Act; amending s. 290.044, F.S.; requiring the department to adopt rules for the distribution of block grant funds to eligible local governments; deleting authority for block grant funds to be distributed as loan guarantees to local governments; requiring that block grant funds be distributed to achieve the department's community development objectives; requiring such objectives to be consistent with certain national objectives; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending s. 290.046, F.S.; revising application requirements for community development block grants and procedures for the ranking of applications and the determination of project funding; amending s. 290.047, F.S.; revising requirements for the establishment of grant ceilings and maximum expenditures on administrative costs from community development block grants; limiting an eligible local government's authority to contract for specified services in connection with community development block grants; amending s. 290.0475, F.S.; revising conditions under which grant applications are ineligible for funding; amending 290.048, F.S.; revising the department's duties to administer the Small Cities Community Development Block Grant Loan Guarantee Program; deleting provisions authorizing the establishment of an advisory committee; amending ss. 331.3051 and 331.310, F.S.; revising requirements for annual reports by Space Florida; amending s.443.091, F.S.; providing for online work registration and providing exceptions; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; revising requirements for the estimate of interest due on advances received from the Federal Government to the Unemployment Compensation Trust Fund and the calculation of additional assessments to contributing employers to repay the interest; providing an exemption from such additional assessments; amending ss. 443.151 and 443.191, F.S.; revising provisions to conform to changes made to benefit eligibility; requiring the department to impose a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant and providing for deposit of moneys collected for such penalties in the Unemployment Compensation Trust Fund; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing criminal penalties; amending s. 446.50, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 1040—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring the collection of the motor

fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 206.45, F.S.; providing for the collection and distribution of the inspection fee on motor fuel; amending s. 493.6101, F.S.; revising the definition of the term “repossession”; amending s. 493.6113, F.S.; requiring licensees to submit proof of recertification training to the Department of Agriculture and Consumer Services; providing that failure to submit proof of firearm recertification training will result in license suspension and nonrenewal; amending s. 493.6116, F.S.; removing a provision that prohibits firearm licensees from sponsoring certain interns; requiring interns to conduct regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; providing criminal penalties for providing fraudulent training certifications; conforming a cross-reference; amending s. 493.6120, F.S.; providing an exception to a penalty provision; amending s. 493.6121, F.S.; conforming a cross-reference; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; providing exemption from registration requirements for certain charitable organizations and sponsors; requiring exempt charitable organizations and sponsors that solicit donations to provide information to the department; providing that the burden of proving an exemption is on the entity claiming the exemption; limiting applicability of the registration exemption; amending s. 496.407, F.S.; providing that a charitable organization or sponsor may submit certain IRS forms and schedules in lieu of a financial report; amending s. 496.409, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by professional fundraising consultants; amending s. 496.410, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements, renewal statements, and reports by professional solicitors; amending s. 496.411, F.S.; deleting provisions that require registered charitable entities, sponsors, or solicitors to display the percentage retained from contributions; amending s. 496.415, F.S.; providing that it is unlawful to knowingly provide a misleading or inaccurate document relating to a solicitation or charitable promotion; providing criminal penalties; amending s. 496.419, F.S.; providing that certain violations constitute an immediate public threat and are grounds for suspending solicitation activities; requiring that the department report only substantiated criminal violations to a prosecuting authority; conforming cross-references; amending s. 501.016, F.S.; reducing the required security amount for health studios; amending s. 501.059, F.S.; prohibiting a person from making certain outbound telephonic sales calls; amending s. 501.603, F.S.; revising the definitions of the terms “commercial telephone solicitation” and “commercial telephone seller”; amending s. 501.604, F.S.; specifying that exemptions apply to telecommunications businesses and businesses that have operated lawfully; making technical and conforming changes; amending s. 501.607, F.S.; deleting the provision requiring commercial telephone salespersons to provide employment history to the department; amending s. 501.608, F.S.; requiring that commercial telephone sellers provide the department with certain documents to aid in determining eligibility for exemptions; requiring each commercial telephone seller operating under an exemption to display or make certain documents available for inspection; providing that failure to obtain or display certain documents is grounds for action against the commercial telephone seller; amending s. 501.611, F.S.; requiring a commercial telephone seller to maintain an active security bond throughout the period of licensure; amending s. 501.615, F.S.; revising the criteria for certain exempt telephonic sales; requiring a commercial telephone seller engaged in activities regulated by ch. 721 to comply with certain disclosure obligations; amending s. 501.617, F.S.; authorizing the department to conduct regulatory inspections of commercial telephone sellers; amending s. 507.03, F.S.; requiring moving brokers to provide the department with contact information for movers with whom they have contracted for services or are affiliated; amending s. 507.04, F.S.; eliminating the requirement that a moving broker obtain a bond; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term “alternative fuels” for purposes of inspection requirements; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; eliminating the requirement that collected fees be paid into the treasury and distributed into a specified trust fund; conforming provisions; amending s. 527.01, F.S.; providing a definition for the term “license year” as it relates to the sale of petroleum gas; amending s. 527.0201, F.S.; revising

examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the renewal procedure for certain licenses; amending s. 531.415, F.S.; conforming a cross-reference; amending s. 531.61, F.S.; exempting certain commercial weights and measures devices from permit requirements; conforming a cross-reference; amending chapter 2009-66, Laws of Florida; extending the expiration date of certain statutes related to commercial weights and measures; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring franchisors to provide notice of the franchise sale on a department promulgated form; amending s. 559.803, F.S.; deleting provisions allowing and requiring sellers of business opportunities to file federal disclosure statements with the department; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; repealing s. 559.807(2), F.S., relating to bonds or securities for business opportunity sellers; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; abrogating the enforcement and rule-making authority of the Department of Agriculture and Consumer Services; amending s. 559.815, F.S.; conforming a cross-reference; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing an effective date.

By the Committee on Education; and Senators Legg, Stargel, and Brandes—

CS for SB 1076—A bill to be entitled An act relating to education; providing a short title; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center or a system of technical centers; providing for membership of the board; amending s. 1001.706, F.S.; revising the requirements that must be included in the strategic plan that the Board of Governors must develop which includes criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; amending s. 1002.3105, F.S.; adding attainment of industry certifications to the list of acceleration options available to public school students; amending s. 1003.41, F.S.; revising the core curricular content for mathematics and social studies within the Next Generation Sunshine State Standards; amending s. 1003.4156, F.S.; revising the requirements for the course in career and education planning which students in middle grades must successfully complete for promotion; amending s. 1003.4203, F.S.; requiring each district school board to make available digital materials for students in kindergarten through grade 12; revising the digital curriculum; authorizing the digital materials to be integrated into subject area curricula, offered as a separate course, or made available through other options; requiring the Department of Education to confirm that each school district has made available digital instructional materials for certain students with disabilities by a specified date; requiring the department to contract with technology companies or affiliated nonprofit organizations by a specified date to develop a cyber security recognition and a digital arts and technology recognition; requiring that the recognitions be made available to all public elementary school students at no cost to the districts; requiring the department to contract by a specified date with technology companies to provide a digital tools certificate; requiring that the digital tools certificate be made available to all public middle school students at no cost to the school districts; providing legislative intent; requiring the department or a contracted company or companies to provide technical assistance to district school boards; providing criteria for the assistance; authorizing a district school board to seek partnerships with other school districts, private businesses, colleges, universities, or consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials and certifications; requiring the State Board of Education to adopt rules; amending s. 1003.428, F.S.; revising requirements for high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before

high school graduation; amending s. 1003.4295, F.S.; requiring the department to develop, the State Board of Education to approve, and each school district to provide alternative pathways of earning accelerated credit toward meeting general credit requirements for high school graduation; amending s. 1003.433, F.S.; deleting a provision that exempts students attending adult basic, adult secondary, or vocational-preparatory instruction from payment of certain fees and tuition; repealing s. 1003.4935(4), F.S., relating to the adoption of rules by the State Board of Education that identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certification Funding List and which are eligible for additional full-time equivalent membership; amending s. 1004.02, F.S.; revising definitions; creating s. 1004.082, F.S.; requiring the Chancellor of the State University System to cooperate with the Commissioner of Education to support the operation of programs to encourage talented secondary school students and students of physics or mathematics programs to pursue a postsecondary education at a state university; amending s. 1004.91, F.S.; providing requirements for basic skills for a career education program; requiring each school district and Florida College System institution that conducts programs that confer career and technical certificates to provide applied academics instruction through which students receive basic skills instruction; requiring certain students to be referred to applied academics instruction or another adult general education program for a structured program or basic skills instruction; revising the types of students who are exempt from completing the basic skills for a career education program; amending s. 1004.93, F.S.; revising the priority in which an adult education program must provide academic services to students; requiring students who are entering adult general education programs to complete certain activities before a specified date in order to accelerate employment; providing for the development of the action-steps-to-employment activities; amending s. 1007.263, F.S.; conforming a provision to changes made by the act; amending s. 1007.271, F.S.; conforming a provision to changes made by the act; revising requirements for career dual enrollment programs to include the earning of an industry certification; amending s. 1008.25, F.S.; requiring each school district to establish a comprehensive plan for student progression which must provide instructional sequences for students in kindergarten through high school to progressively higher levels of competency in the use of digital tools; amending s. 1008.37, F.S.; conforming a provision to changes made by the act; creating s. 1008.44, F.S.; requiring the Department of Education to annually identify the Industry Certification Funding List; requiring the State Board of Education to adopt the Postsecondary Industry Certification Funding List; requiring the Commissioner of Education to recommend to the State Board of Education the Postsecondary Industry Certification Funding List; authorizing the commissioner to recommend adding certifications; requiring the Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the funding list; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance funding distributions to school districts and Florida College System institutions; requiring the chancellors to consider results of the economic security report of employment and earnings outcomes when recommending certifications for the list; requiring the commissioner to differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding under certain circumstances; requiring differentiated requirements to be included in the Industry Certification Funding List; amending ss. 1009.22 and 1009.25, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; revising the procedure for annual allocation of funds to each school district; revising the bonus funding for enrollment in advanced placement courses; increasing the funding cap on funding associated with industry certifications; providing a performance bonus for teachers of specified subjects; revising the calculation of additional full-time equivalent membership based on certification of successful completion of a career-themed course and issuance of an industry certification; requiring that industry certification courses be reported and funded; authorizing bonus funding for elementary and middle schools where students earn certain recognitions and digital competency certificates; amending s. 1011.80, F.S.; deleting the performance output measure for a career program of study; providing that continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs; providing distribution and calculation of performance funding for school district

workforce education programs; amending s. 1011.81, F.S.; providing for performance funding for industry certifications for Florida College System institutions; amending s. 1011.905, F.S.; revising requirements for performance funding for state universities; providing an effective date.

By the Committee on Education; and Senator Montford—

CS for SB 1096—A bill to be entitled An act relating to the repeal of education provisions; amending s. 403.7032, F.S.; removing a requirement that each K-12 public school annually report to the county on recycled materials; repealing s. 1001.26(3), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1001.435, F.S., relating to a K-12 foreign language curriculum plan; repealing s. 1002.23(4), (6), and (9), F.S., relating to a parent-response center, submission of family involvement and empowerment rules by district school boards, and State Board of Education compliance review and enforcement under the Family and School Partnership for Student Achievement Act; repealing s. 1002.32(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1002.361, F.S., relating to a direct-support organization for the Florida School for the Deaf and the Blind; repealing s. 1002.375, F.S., relating to a pilot project to award alternative credit for high school courses; repealing s. 1003.4285(1), F.S., relating to a standard high school diploma designation that indicates a student's major area of interest; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; repealing s. 1003.433(5), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1003.453(2), F.S., relating to information on school wellness and physical education policies posted on Department of Education and school district websites; repealing s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program; repealing s. 1004.05, F.S., relating to substance abuse training programs for specified public school personnel; amending s. 1004.435, F.S.; removing duplicative, redundant, or unused rulemaking authority; amending s. 1004.45, F.S.; removing unnecessary rulemaking authority; repealing s. 1004.62, F.S., relating to incentives for state university student internships to study urban or socially and economically disadvantaged areas; repealing s. 1004.77, F.S., relating to centers of technology innovation; repealing s. 1006.02, F.S., relating to provision of information to students and parents regarding school-to-work transition; repealing s. 1006.035, F.S., relating to a dropout reentry and mentor project; repealing s. 1006.051, F.S., relating to the Sunshine Workforce Solutions Grant Program; repealing s. 1006.09(1)(d), F.S., relating to duties of school principals with respect to annual reporting and analysis of student suspensions and expulsions; repealing ss. 1006.17 and 1006.70, F.S., relating to sponsorship of athletic activities similar to those for which scholarships are offered; repealing s. 1006.65, F.S., relating to safety issues in courses offered by public postsecondary educational institutions; repealing s. 1007.21, F.S., relating to readiness for postsecondary education and the workplace; repealing s. 1007.35(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1008.31(3)(d) and (e), F.S., relating to review and reporting duties of the Commissioner of Education with respect to consolidating paperwork under Florida's K-20 education performance accountability system; repealing s. 1009.68, F.S., relating to the Florida Minority Medical Education Program; amending s. 1009.85, F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1012.58, F.S., relating to the Transition to Teaching Program; repealing s. 1012.71(6), F.S., relating to a pilot program for establishing an electronic management system for the Florida Teachers Lead Program; repealing s. 1013.231, F.S., relating to Florida College System institution and state university energy consumption reduction; repealing s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys; repealing ss. 1013.42 and 1013.72, F.S., relating to the School Infrastructure Thrift (SIT) Program; repealing ss. 1013.502 and 1013.721, F.S., relating to A Business-Community (ABC) School Program; repealing s. 1013.64(7), F.S., relating to exceptions from Special Facility Construction Account requirements; repealing s. 1013.73, F.S., relating to effort index grants for school district facilities; amending ss. 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34, 1002.45, 1003.03, 1003.429, 1003.438, 1003.49, 1004.70, 1004.71, 1006.025, 1006.15, 1007.263, 1007.271, 1008.22, 1008.23, 1009.40, 1009.531, 1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738, F.S.; conforming provisions; providing effective dates.

By the Committee on Agriculture; and Senator Hays—

CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term "agritourism activity" and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism professional, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism professional, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

By the Committee on Ethics and Elections; and Senator Ring—

CS for SB 1260—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Community Affairs; and Senators Ring and Negron—

CS for SB 538—A bill to be entitled An act relating to special districts; creating s. 189.4052, F.S.; providing definitions; requiring certain single-county independent special districts to administratively consolidate with the municipality or county in which they are located if such consolidation will result in increased efficiencies; providing for the dissolution of the district for failure to comply; providing that the municipality or county appoint all future district board members; limiting the insurance benefits of district officers and employees to the benefits provided by the local governing authority to its officers and employees; requiring the district to make an annual presentation to the municipality or county; amending s. 189.4035, F.S.; requiring the official list of districts to include the names and contact information of governing board members; amending s. 189.404, F.S.; providing limitations on reimbursement for travel and per diem for district officers and employees; amending s. 189.412, F.S.; requiring the Special District Information Program to provide a link to each special district website; amending s. 189.416, F.S.; requiring each district to provide the names of and contact information for its board members for posting on the local governing authority's website or the Department of Economic Opportunity's master list of districts; amending s. 190.008, F.S.; revising the information that must be presented by a community development district to the local governing authority and requiring the information to be provided at a publicly noticed meeting; requiring a district's proposed budget, adopted amendments, and final adopted budget to be posted on its website or the website of the local general-purpose government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By the Committee on Health Policy; and Senator Galvano—

CS for SB 612—A bill to be entitled An act relating to health care practitioners; amending s. 456.072, F.S.; requiring that certain health care practitioners make specified disclosures when introducing themselves as "doctor" when rendering health care; providing an effective date.

—was referred to the Committees on Judiciary; and Appropriations.

By the Committee on Education; and Senator Galvano—

CS for SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; revising the legislative intent with regard to the state's K-20 education performance accountability system; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share education records of students which may contain students' personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including colocated schools, and students whose assessment data is used in determining school grades; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 7013 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Appropriations Committee, Ethics & Elections Subcommittee and Representative(s) Boyd—

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 5 and March 7 were corrected and approved.

CO-INTRODUCERS

Senators Bean—CS for SB 366; Benacquisto—CS for SB 1076; Bradley—SB 534; Brandes—SB 1076; Bullard—SB 660, SB 812, SB 882, SB 1322; Clemens—SB 154; Detert—SB 716; Flores—SB 896; Montford—CS for SB 366; Richter—SB 716; Smith—CS for SB 366; Soto—CS for SB 564, SB 716; Thompson—CS for SB 564, SB 1322

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 11:13 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Tuesday, March 19 or upon call of the President.

SENATE PAGES

March 11-15, 2013

Taryn Armstrong-Jackson, Pembroke; Grace Beatty, Fort Myers; Halia Braynon, Miami; Matthew Detert, North Port; Stephanie Detert, Venice; Joseph LaFauci, Brandon; Regan Lee, Brandon; Caitlin McRae, Eagle Lake; Savannah Pierce, Dade City; Zachary Solloway, Lake Worth



Journal of the Senate

Number 4—Regular Session

Monday, March 18, 2013

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REPORTS OF COMMITTEES

The Committee on Banking and Insurance recommends the following pass: SB 422

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

The Committee on Education recommends the following pass: SB 680

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

The Committee on Community Affairs recommends the following pass: CS for SB 404; SB 1062; SB 1064

The bills were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 936

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Health Policy recommends the following pass: SB 144

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Health Policy recommends the following pass: SB 1660

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 1156

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Education recommends the following pass: SB 514

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

The Committee on Health Policy recommends the following pass: SB 1302 with 1 amendment

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

The Committee on Health Policy recommends the following pass: SB 1066

The Committee on Judiciary recommends the following pass: SB 1014

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SB 1124

The Committee on Transportation recommends the following pass: SB 1424

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 706

The Committee on Health Policy recommends the following pass: CS for SB 370

The Committee on Transportation recommends the following pass: SB 986

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

The Committee on Education recommends the following pass: SB 284

The bill was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 1096

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 60; SB 230; SB 452

The Committee on Judiciary recommends the following pass: CS for SB 120

The Committee on Transportation recommends the following pass: SB 1090

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

The Committee on Appropriations recommends the following pass: CS for SB 322; SB 520; SB 1764

The Committee on Community Affairs recommends the following pass: CS for SB 286; SB 1766

The Committee on Judiciary recommends the following pass: CS for SB 164

The bills were placed on the Calendar.

The Committee on Health Policy recommends a committee substitute for the following: SB 966

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 436

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

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 92; CS for SB 676

The bills with committee substitute attached were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Education recommends committee substitutes for the following: SB 920; SB 1720

The bills with committee substitute attached were referred to Appropriations Subcommittee on Education under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 928

The Committee on Regulated Industries recommends a committee substitute for the following: SB 864

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 444

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 84

The Committee on Regulated Industries recommends a committee substitute for the following: SB 842

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

The Committee on Health Policy recommends committee substitutes for the following: SB 896; SB 938; SB 1130

The bills with committee substitute attached were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1150

The Committee on Judiciary recommends a committee substitute for the following: SB 1172

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

The Committee on Judiciary recommends a committee substitute for the following: SB 718

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 102; SB 810

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

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 554; SB 754

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1382

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1392

The Committee on Health Policy recommends a committee substitute for the following: SB 462

The Committee on Regulated Industries recommends committee substitutes for the following: SB 500; SB 802

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 964

The Committee on Education recommends a committee substitute for the following: SB 454

The Committee on Judiciary recommends committee substitutes for the following: SB 496; SB 1372

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 748

The Committee on Community Affairs recommends a committee substitute for the following: SB 726

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 398

The Committee on Education recommends a committee substitute for the following: SB 626

The Committee on Health Policy recommends a committee substitute for the following: SB 1016

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 378

The Committee on Health Policy recommends a committee substitute for the following: SB 248

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 630

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 304

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 160; CS for SB 878

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 56

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 848

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 298

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: SB 294; SB 746

Appropriations Subcommittee on Education recommends the following pass: SB 318

Appropriations Subcommittee on General Government recommends the following pass: SB 326; CS for SB 372

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

Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB 1076

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: SB 342; SB 354

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: SB 406

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

Appropriations Subcommittee on Criminal and Civil Justice recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Secretary of Corrections

Appointee: Crews, Michael D.

*For Term
Ending*

Pleasure of
Governor

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

Office and Appointment

*For Term
Ending*

State Board of Education

Appointee: Bradshaw, Sara "Sally" S. 12/31/2013

Board of Governors of the State University System

Appointee: Levine, Alan M. 01/06/2020

Board of Trustees, University of Florida

Appointee: Corr, Christopher T. 01/06/2016

Board of Trustees, University of North Florida

Appointee: Pincomb, Myron W. 01/06/2016

Board of Trustees, University of West Florida

Appointee: Walton, Garrett W. 01/06/2016

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

*For Term
Ending*

Environmental Regulation Commission

Appointees: Gelber, Adam R. 07/01/2015
Montoya, Herbert William 07/01/2015
Roth, Cari L. 07/01/2013

Fish and Wildlife Conservation Commission

Appointee: Roberts, Charles W. III 08/01/2016

Governing Board of the Northwest Florida Water Management District

Appointees: Alter, John W. 03/01/2015
Andrews, Angus "Gus" G., Jr. 03/01/2015
Patronis, Nicholas "Nick" J. 03/01/2015
Spring, Samuel R. 03/01/2016

Governing Board of the St. Johns River Water Management District

Appointees: Bournique, Douglas C. 03/01/2016
Daniels, Lowry "Lad" A. 03/01/2015
Drake, Charles W. 03/01/2015
Robbins, George W. III 03/01/2016
Roberts, Frederick N., Jr. 03/01/2015

Governing Board of the South Florida Water Management District

Appointees: Batchelor-Robjohns, Anne "Sandy" 03/01/2016
Moran, James J. Esquire 03/01/2015
O'Keefe, Daniel T. 03/01/2016
Sargent, Timothy W., Jr. 03/01/2014

Governing Board of the Southwest Florida Water Management District

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senator Hays—

CS for SB 56—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medicolegal investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and Senator Diaz de la Portilla—

CS for CS for SB 84—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction, operation, ownership, and financing of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senators Negron, Brandes, Evers, and Bradley—

CS for CS for SB 92—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

By the Committee on Banking and Insurance; and Senator Detert—

CS for SB 102—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing an effective date.

For Term Ending

Office and Appointment

Appointees: Babb, Michael A.	03/01/2014
Joerger, Albert G.	03/01/2015
Maggard, Randall “Randy”	03/01/2015
Senft, H. Paul, Jr.	03/01/2015

Governing Board of the Suwannee River Water Management District

Appointees: Brown, Kevin W.	03/01/2015
Cole, George M.	03/01/2015
Curtis, Donald Raymond “Ray” III	03/01/2015
Jones, Gary F.	03/01/2016
Quincey, Donald “Don”	03/01/2016

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

Office and Appointment

For Term Ending

Tampa-Hillsborough County Expressway Authority

Appointee: Diaco, Stephen C.	07/01/2014
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Florida Transportation Commission

Appointees: Ellington, Donald L.	09/30/2013
Frazier, Susan Katherine	09/30/2015
Kigel, Beth R.	09/30/2015
Marono, Manuel L.	09/30/2015
Trumbull, Jay N.	09/30/2015
Tuck, Andy	09/30/2014

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Flores—

SM 1432—A memorial to the Congress of the United States, urging Congress to offer its continued support of the relationship and shared interests between the people of Taiwan and the United States.

—was referred to the Committee on Commerce and Tourism.

Senate Bills 1434-1774—Previously referenced.

By Senator Clemens—

SB 1776—A bill to be entitled An act relating to public records; amending s. 377.45, F.S.; providing an exemption from public records requirements for trade secrets contained within information relating to hydraulic fracturing treatments obtained by the Division of Resource Management of the Department of Environmental Protection in connection with the division’s online hydraulic fracturing chemical registry; providing procedures and requirements with respect to the granting of confidential and exempt status; providing for disclosure under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

By the Committees on Appropriations; and Health Policy; and Senators Richter, Dean, and Benacquisto—

CS for CS for SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; amending s. 456.013, F.S.; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waivers; limiting the time period a veteran can apply to 24 months after honorable discharge; amending s. 468.304, F.S.; requiring that the department waive the initial application fee for veterans who apply for a radiological personnel certification; requiring the department to prescribe the form of the fee waiver; limiting the time period a veteran can apply to 24 months after honorable discharge; excluding a specific fee from the waiver; providing an effective date.

By the Committee on Health Policy; and Senator Thrasher—

CS for SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; authorizing each board and profession within the division to delegate to its chair or other designee the authority to determine that an applicant for licensure under its jurisdiction may be impaired before certifying or declining to certify an application for licensure; authorizing the chair or other designee to refer the applicant to the consultant for an evaluation before the board certifies or declines to certify the applicant's application to the department; tolling the department's deadline for approving or denying the application until the evaluation is completed and the result of the evaluation and recommendation by the consultant is communicated to the board by the consultant if the applicant agrees to be evaluated by the consultant; requiring the board to certify or decline to certify the applicant's application to the department notwithstanding the lack of an evaluation and recommendation by the consultant if the applicant declines to be evaluated by the consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

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

CS for SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Criminal Justice—

CS for SB 304—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public record requirements for certain information submitted to an agency by an agency employee who is a victim of domestic violence or sexual violence; making clarifying chan-

ges; removing the scheduled repeal of the exemption; providing an effective date.

By the Committee on Banking and Insurance; and Senator Bean—

CS for SB 378—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and related structures; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

By the Committees on Banking and Insurance; and Health Policy; and Senator Bean—

CS for CS for SB 398—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician's patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

By the Committees on Judiciary; and Regulated Industries; and Senator Altman—

CS for CS for SB 436—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 514.0115, F.S.; revising specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating

to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

By the Committee on Community Affairs; and Senator Diaz de la Portilla—

CS for SB 444—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; revising the measurement standard for the wastewater flow; revising the requirements for installation of a functioning reuse system by a utility that had a permit for a domestic wastewater facility on a specified date to discharge through ocean outfall; revising the definition of the term “functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; requiring that the Department of Environmental Protection approve certain apportionment of reuse if a facility contracts with another facility to install a functioning reuse system; requiring a facility that contracts with another facility to provide a copy of the contract to the department; revising provisions authorizing the backup discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; deleting an obsolete provision; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information

for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

By the Committee on Education; and Senator Benacquisto—

CS for SB 454—A bill to be entitled An act relating to Florida College System institution police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System institution police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System institution police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System institution police officers; providing an effective date.

By the Committee on Health Policy; and Senator Thompson—

CS for SB 462—A bill to be entitled An act relating to death certificates; amending s. 382.008, F.S.; requiring the State Registrar to electronically transfer a data file of permanent death certificates to the Florida Association of Court Clerks and Comptrollers, Inc.; requiring the association to submit that data file to the clerk of the circuit court, or local recording entity, for each county; requiring the clerk of the circuit court, or local recording entity, to record the permanent death certificate for each death that occurred within its respective county; requiring the clerk of the circuit court, or local recording entity, to waive associated fees; providing an effective date.

By the Committee on Judiciary; and Senator Dean—

CS for SB 496—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

By the Committee on Regulated Industries; and Senator Clemens—

CS for SB 500—A bill to be entitled An act relating to massage establishments; amending s. 480.043, F.S.; requiring an application to be denied upon specified findings; amending s. 480.046, F.S., adding additional grounds for denial of a license; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing criminal penalties; amending s. 480.052, F.S., authorizing a county or municipality to waive the restriction on operating hours of a massage establishment in certain instances; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Altman—

CS for SB 554—A bill to be entitled An act relating to brownfields; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; providing procedures for adoption of a resolution; providing requirements for notice and public hearings; authorizing local governments to use a term other than “brownfield area” when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; providing an effective date.

By the Committee on Education; and Senator Bullard—

CS for SB 626—A bill to be entitled An act relating to bullying in the public school system; providing a short title; amending s. 1006.147, F.S.; prohibiting cyberbullying in schools and during school-related activities; expanding the circumstances under which bullying or harassment of any student or employee of a public K-12 institution is prohibited; revising the definition of the term “bullying” to include emotional pain or discomfort; defining the term “cyberbullying”; revising the definition of the term “harassment”; requiring each school district to incorporate a prohibition on cyberbullying into its policy on bullying and harassment; requiring that such policy mandate that computers without web-filtering software or computers with web-filtering software disabled be used when investigating complaints of cyberbullying; requiring that school district policies prohibiting bullying, cyberbullying, and harassment address how to identify and respond to behavior that leads to such conduct; requiring that the model policy of the Department of Education include a prohibition on cyberbullying by a certain date and that such policy be included in the code of student conduct; updating fiscal years regarding the distribution of safe school funds; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Clemens—

CS for SB 630—A bill to be entitled An act relating to regulation of summer camps; amending s. 409.175, F.S.; providing that Department of Children and Families license requirements apply to summer day camps and summer 24-hour camps; providing duties of the department; providing legislative intent for children in the state who attend summer day camps or summer 24-hour camps; requiring specified persons coming into contact with children to be screened; requiring summer day camps and summer 24-hour camps to register with the department; providing registration and screening requirements for summer camp personal; requiring a camp to dismiss personnel who are not of good moral character; authorizing the department to adopt rules relating to registration and screening; requiring the department to notify the appropriate state attorney of a violation of the registration requirement; requiring camps to allow the department access to personnel and facilities; providing for the necessity of a warrant in certain circumstances; authorizing the department to institute disciplinary proceedings; requiring the camp to display its registration on any advertisement; providing criminal penalties; providing for termination of employment of summer camp personnel; providing for termination of the operation of a summer day camp or summer 24-hour camp; providing for civil relief and criminal penalties; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senator Evers—

CS for CS for SB 676—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senators Stargel, Grimsley, Richter, Thrasher, Soto, and Altman—

CS for SB 718—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.08, F.S.; defining terms; revising factors to be considered for alimony awards; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; revising factors to be considered when deciding whether to award alimony; providing that an award of alimony granted automatically terminates without further

action under certain circumstances; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; requiring written findings regarding the incomes and standard of living of the parties after dissolution of marriage; amending s. 61.09, F.S.; providing for the calculation of alimony; amending 61.13, F.S.; establishing a presumption that it is in the best interests of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing for prospective application of the presumption in favor of equal time-sharing; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; revising provisions relating to the effect of a supportive relationship on an award of alimony; providing that income and assets of the obligor's spouse or the person with whom the obligor resides may not be considered in the redetermination in a modification action; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing allowable dates for the modification of such awards; providing an effective date.

By the Committee on Community Affairs; and Senator Simmons—

CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; establishing the purpose and composition of the task force; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Bean and Gibson—

CS for SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; requiring the organization, subject to an appropriation, to enroll a specified number of persons to participate in the program in the named counties; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Alachua, Bradford, Clay, Columbia, Dixie,

Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee, and Union counties; providing an exemption from ch. 641, Florida Statutes, for the organization; requiring the organization, subject to an appropriation, to enroll a specified number of persons to participate in the program in the named counties; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Grimsley—

CS for SB 754—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

By the Committee on Regulated Industries; and Senator Hays—

CS for SB 802—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners' Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Florida Building Code Administrators and Inspectors Board to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simmons—

CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

By the Committee on Regulated Industries; and Senator Stargel—

CS for SB 842—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

By the Committees on Community Affairs; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Gardiner—

CS for CS for SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

By the Committee on Regulated Industries; and Senator Thrasher—

CS for SB 864—A bill to be entitled An act relating to tied house regulation; amending s. 561.42, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to impose administrative sanctions for certain violations relating to coupons redeemable by vendors; providing an exception; prohibiting licensees under the Beverage Law from possess-

ing or using certain coupons involving malt beverages; conforming provisions; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Galvano—

CS for CS for SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share education records of students which may contain students' personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including colocated schools, and students whose assessment data is used in determining school grades; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

By the Committee on Health Policy; and Senators Garcia and Flores—

CS for SB 896—A bill to be entitled An act relating to prepaid dental plans; amending s. 409.912, F.S.; postponing the scheduled repeal of a

provision requiring the Agency for Health Care Administration to contract with dental plans for dental services on a prepaid or fixed-sum basis; authorizing the agency to provide a prepaid dental health program in Miami-Dade County on a permanent basis; requiring an annual report to the Governor and Legislature; providing an effective date.

By the Committee on Education; and Senator Detert—

CS for SB 920—A bill to be entitled An act relating to college tuition; amending s. 1009.24, F.S.; providing that resident undergraduate tuition and student fees at a state university remain unchanged for certain undergraduate students; providing an effective date.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 928—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; modifying the definition of “qualifying housing development”; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; amending s. 212.08, F.S.; revising criteria for community contribution tax credit for donations; amending ss. 220.183 and 624.5105, F.S.; extending the expiration date applicable to the granting of community contribution tax credits against the sales and use tax, corporate income tax, and insurance premium tax for contributions to eligible sponsors of community projects approved by the Department of Economic Opportunity; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation’s strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation’s development of its long-range plan; revising the required contents and information to be included in the corporation’s annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the HOPE program; providing for retroactive application; providing an effective date.

By the Committee on Health Policy; and Senator Dean—

CS for SB 938—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term “occupancy”; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Abruzzo—

CS for SB 964—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that a parent’s rights may be terminated if the court determines, by clear and convincing evidence, that the child was conceived during an act of unlawful sexual battery; creating a presumption that termination of parental rights is in the best interest of the child if the child was conceived as a result of an unlawful sexual battery; providing that a petition to terminate parental rights may be filed at any time; amending s. 39.811, F.S.; providing for termination of parental rights of only one parent if conception was the result of an unlawful sexual battery; providing for retroactive application; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 966—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S.; deleting a monthly reporting requirement for laboratories; amending s. 154.11, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; creating s. 385.2035, F.S.; designating the Florida Hospital Sanford-Burnham Translational Research Institute for Metabolism and Diabetes as a resource for diabetes research in this state; amending s. 394.741, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 395.0161, F.S.; deleting a requirement that hospitals pay certain inspection fees at the time of the inspection; repealing s. 395.1046, F.S., relating to the investigation by the Agency for Health Care Administration of certain complaints against hospitals; amending s. 395.3038, F.S.; deleting an obsolete provision relating to stroke centers; revising references to certain accrediting organizations to conform; amending s. 395.701, F.S.; revising the definition of the term “hospital” for purposes of annual assessments on net operating revenues for inpatient and outpatient services to fund public medical assistance; repealing s. 395.7015, F.S., relating to annual assessments on health care entities; amending s. 395.7016, F.S.; revising a cross-reference to conform to changes made by the act; amending ss. 397.403, 400.925, 400.9935, and 402.7306, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 408.061, F.S.; exempting hospitals operated by state agencies from certain annual fiscal experience reporting requirements; amending s. 408.20, F.S.; exempting hospitals operated by state agencies from certain assessments; amending ss. 409.966, 409.967, and 430.80, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 440.102, F.S.; revising certain drug-testing standards for laboratories; deleting a requirement that a laboratory must comply with certain criteria to conduct an initial analysis of test specimens; deleting a monthly reporting requirement for laboratories; amending s. 440.13, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; creating s. 456.0125, F.S.; providing legislative intent; providing definitions; creating the Standardized Credentials Collection and Verification Program for physicians; providing procedures and requirements with respect to the program; authorizing the Department of Health to adopt rules to develop and implement the program; amending s. 499.003, F.S.; exempting prescription drugs transferred either directly or through a hospital’s or health care entity’s supplier for the purpose of repackaging from the definition of “wholesale distribution”; amending s. 499.01, F.S.; requiring a permit for prescription drug repackagers located in other states that repackaged and distribute drugs for limited purposes into this state; amending s. 499.01212, F.S.; requiring pedigree papers for transfers pursuant to s. 499.003(54)(b)7, F.S., to include specified information; amending ss. 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; providing an effective date.

By the Committee on Health Policy; and Senator Hays—

CS for SB 1016—A bill to be entitled An act relating to sovereign immunity for dentists and dental hygienists; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 1130—A bill to be entitled An act relating to examination of dentists; amending s. 466.006, F.S.; revising the eligibility requirements for taking examinations required to practice dentistry; authorizing applicants enrolled in a recognized dental specialty program on a specified date to take the examinations if specified conditions are met; providing for future expiration of such authorization; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Benacquisto and Brandes—

CS for SB 1150—A bill to be entitled An act relating to state contracting; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; authorizing the Department of Financial Services to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.057, F.S.; requiring certain contract managers to be certified and directing the Department of Management Services to be responsible for establishing the requirements for certification; amending s. 287.058, F.S.; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; providing an effective date.

By the Committee on Judiciary; and Senator Simmons—

CS for SB 1172—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 1372—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court may consider when ordering pretrial detention; providing an effective date.

By the Committee on Ethics and Elections; and Senator Latvala—

CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "candidate" to include a candidate for a political party executive committee; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates and political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term "same office"; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing effective dates.

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

CS for SB 1392—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; revising the definition of "vested" or "vesting"; providing that a member initially enrolled in the Florida Retirement System after a certain date is vested in the pension plan after 10 years of creditable service; amending s. 121.051, F.S.; providing for compulsory

membership in the Florida Retirement System Investment Plan for employees in the Elected Officers' Class or the Senior Management Service Class initially enrolled after a specified date; conforming cross-references to changes made by the act; amending s. 121.052, F.S.; prohibiting members of the Elected Officers' Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; prohibiting an elected official eligible for membership in the Elected Officers' Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Optional Annuity Program to new members after a specified date; amending s. 121.091, F.S.; providing that certain members are entitled to a monthly disability benefit; revising provisions to conform to changes made by the act; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; revising the definition of "member" or "employee"; revising a provision relating to acknowledgement of an employee's election to participate in the investment plan; placing certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; authorizing certain employees to elect to participate in the pension plan, rather than the default investment plan, within a specified time; providing for the transfer of certain contributions; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; conforming provisions and cross-references to changes made by the act; amending s. 121.591, F.S.; revising provisions relating to disability retirement benefits; amending s. 121.71, F.S.; decreasing the employee retirement contribution rates for investment plan members; amending ss. 121.35, 238.072, 413.051, and 1012.875, F.S.; conforming cross-references; providing for contribution rate increases to fund the changes made by this act; directing the Division of Law Revision and Information to adjust contribution rates set forth in s. 121.071, F.S.; providing that the act fulfills an important state interest; providing an effective date.

By the Committee on Education; and Senator Galvano—

CS for SB 1720—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; creating s. 288.126, F.S.; requiring the Department of Economic Opportunity to create economic development zones for science, technology, engineering, arts, and mathematics; authorizing a science, technology, engineering, arts, and mathematics (STEAM) zone in a county with a state university classified as having very high research activity located in the county's jurisdiction; authorizing the county to apply to the department for a STEAM zone designation; requiring the county to appoint a STEAM zone development agency in its application; providing criteria for the STEAM zone development agency; requiring the STEAM zone development agency to appoint a STEAM zone development board; providing criteria for the board; providing duties of the board; requiring a local governing body that has jurisdiction over a STEAM zone to establish the boundary of the STEAM zone, specify applicable standards, and determine certain eligibility criteria; specifying the incentives and benefits available in the STEAM zones; requiring the department to develop a grant program that applies to a STEAM zone; providing criteria for the awarding of a grant; directing the STEAM zone development agency to perform certain functions; requiring the department to work with the STEAM zone development agency, the Department of Education, and Workforce Florida, Inc., to develop accountability requirements and measurable objectives; providing criteria; providing a monetary incentive cap on the total amount of state credits, refunds, and exemptions that may be provided to eligible businesses for STEAM zone economic incentives; assigning duties for the administration of STEAM zones to the counties that have jurisdiction over STEAM zones; providing for the issuance of certificates to eligible businesses; requiring the county that has jurisdiction over a STEAM zone to certify to the Department of Revenue or the Department of Economic Opportunity the businesses or properties that are eligible for the incentives; requiring the Department of Revenue to send written instructions to eligible businesses for claiming the credit on a sales and use tax return initiated through an electronic data interchange; providing a procedure to deduct a credit against the sales and use tax from the sales and use tax remitted by the business; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution stu-

dents who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction; revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; specifying the academic and research excellence standards for the preeminent state research universities program; requiring the Board of Governors to designate each state research university that meets certain criteria as a preeminent state research university; requiring the state research university that has attained the highest level on the academic and research excellence standard to establish an online arm of the university; providing requirements for the online arm of the university; providing membership of the board of directors that oversees the business of the university's online arm; providing for a quorum of the board of directors; requiring the board to develop a business plan and authorizing the board to contract with other entities and institutions; requiring the university to offer high-quality online baccalaureate degree programs and a master's degree in business administration; authorizing the university to offer online other master's degree programs; authorizing the university to develop and offer degree programs and courses that are competency based; requiring the university to periodically expand its offering of online baccalaureate degree programs and establish a tuition structure for its online arm; providing requirements for the tuition structure; requiring the state research university that has attained the second highest level on the academic and research excellence standards to recruit National Academy members, expedite provision of a master's degree in cloud virtualization, and institute an entrepreneurs-in-residence program throughout its campus; authorizing a preeminent state research university to require incoming college students to take specified courses; requiring the Board of Governors to identify and grant all reasonable, feasible authority and flexibility to keep a designated preeminent state research university free from unnecessary restrictions; providing that the Board of Governors is encouraged to establish standards and measures to recognize excellent programs in other state universities; creating s. 1002.312, F.S.; authorizing a district school board to contract with a nonprofit organization or a state or local governmental unit to establish a STEAM school; specifying the organizations that are authorized to contract with a district school board to establish a STEAM school; requiring certain provisions to be included in a contract to establish a STEAM school; providing that performance outcomes must demonstrate an integration of technology and the arts; amending s. 1004.02, F.S.; defining the term "developmental education" as it relates to public postsecondary education; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and computation skills that are essential to perform college-level work; deleting a prohibition against a student's enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-

majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations of noncompliance with law or Board of Governors' rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending s. 1008.34, F.S.; revising the grading of middle schools and high schools to include added weight for students who participate and are enrolled in certain classes; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.; excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming terminology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Policy; and Senator Thompson—

CS for SB 462—A bill to be entitled An act relating to death certificates; amending s. 382.008, F.S.; requiring the State Registrar to electronically transfer a data file of permanent death certificates to the Florida Association of Court Clerks and Comptrollers, Inc.; requiring the association to submit that data file to the clerk of the circuit court, or local recording entity, for each county; requiring the clerk of the circuit court, or local recording entity, to record the permanent death certificate for each death that occurred within its respective county; requiring the clerk of the circuit court, or local recording entity, to waive associated fees; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Clemens—

CS for SB 630—A bill to be entitled An act relating to regulation of summer camps; amending s. 409.175, F.S.; providing that Department of Children and Families license requirements apply to summer day camps

and summer 24-hour camps; providing duties of the department; providing legislative intent for children in the state who attend summer day camps or summer 24-hour camps; requiring specified persons coming into contact with children to be screened; requiring summer day camps and summer 24-hour camps to register with the department; providing registration and screening requirements for summer camp personnel; requiring a camp to dismiss personnel who are not of good moral character; authorizing the department to adopt rules relating to registration and screening; requiring the department to notify the appropriate state attorney of a violation of the registration requirement; requiring camps to allow the department access to personnel and facilities; providing for the necessity of a warrant in certain circumstances; authorizing the department to institute disciplinary proceedings; requiring the camp to display its registration on any advertisement; providing criminal penalties; providing for termination of employment of summer camp personnel; providing for termination of the operation of a summer day camp or summer 24-hour camp; providing for civil relief and criminal penalties; providing an effective date.

—was referred to the Committees on Appropriations; and Rules.

By the Committee on Judiciary; and Senators Stargel, Grimsley, Richter, Thrasher, Soto, and Altman—

CS for SB 718—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.08, F.S.; defining terms; revising factors to be considered for alimony awards; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; revising factors to be considered when deciding whether to award alimony; providing that an award of alimony granted automatically terminates without further action under certain circumstances; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; requiring written findings regarding the incomes and standard of living of the parties after dissolution of marriage; amending s. 61.09, F.S.; providing for the calculation of alimony; amending 61.13, F.S.; establishing a presumption that it is in the best interests of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing for prospective application of the presumption in favor of equal time-sharing; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; revising provisions relating to the effect of a supportive relationship on an award of alimony; providing that income and assets of the obligor's spouse or the person with whom the obligor resides may not be considered in the redetermination in a modification action; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing allowable dates for the modification of such awards; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Children, Families, and Elder Affairs; and Senators Bean and Gibson—

CS for SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; requiring the organization, subject to an appropriation, to enroll a specified number of persons to participate in the program in the named counties; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Alachua, Bradford, Clay, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee, and Union counties; providing an exemption from ch. 641, Florida Statutes, for the organization; requiring the organization, subject to an appropriation, to enroll a specified number of persons to participate in the program in the named counties; providing an effective date.

—was referred to the Committees on Health Policy; and Appropriations.

By the Committees on Community Affairs; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Gardiner—

CS for CS for SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Hays—

CS for SB 1016—A bill to be entitled An act relating to sovereign immunity for dentists and dental hygienists; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

CO-INTRODUCERS

Senators Abruzzo—SB 1290, SR 1292; Bean—SB 150, CS for SB 1076, SB 1240; Braynon—SB 1322; Bullard—SB 710, SB 872; Evers—CS for SB 674; Garcia—SB 150, SB 1322, SB 1688; Gardiner—SB 1332; Gibson—CS for SB 572; Legg—SB 432; Margolis—SB 66; Ring—CS for SB 366, SB 548; Sobel—CS for CS for SB 62, SB 142, CS for SB 500

Senator Evers withdrew as co-introducer of CS for SB 658.

SENATE PAGES

March 18-22, 2013

Reagan Anderson, Tallahassee; Kaitlyn Bailey, Santa Rosa Beach; Thomas Bartley, Eustis; Blair Bean, Fernandina Beach; Connor Bradley, Fleming Island; Corey Burns, Winter Park; Laura Fredrickson, West Palm Beach; Jackson Hansen, Tallahassee; Justus James, Melbourne; Pavlina Osta, Port Orange; Amanda Schell, Lakeland; Ashley Tringas, Gulf Breeze; Brandon Williams, Miami



Journal of the Senate

Number 5—Regular Session

Tuesday, March 19, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:30 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

PRAYER

The following prayer was offered by Chaplain Major Jeffrey Peppers, Florida Army National Guard, Tallahassee. Chaplain Peppers is a full-time support chaplain for the Florida National Guard and the Brigade Chaplain for the 53rd Infantry Brigade Combat Team. He deployed with the 779th Engineer Battalion in 2009-2010 and has served in the U.S. Marine Corps, U.S. Army, Army Reserves, and the Hawaii Army National Guard.

Almighty God, as we begin this legislative day, we pause to give you thanks and to humbly request your guidance and wisdom for this body of men and women.

We offer to you our thanks for another beautiful day living in this beautiful land you have created. We thank you for the many freedoms we enjoy—freedom to assemble, to speak, to each pursue our own fulfillment, and for the freedom to worship you, each in our own way. On this Military Appreciation Day, we offer special thanks to you for the men and women who have given so much to secure for us these liberties. We

pray for your protection, guidance, and abundant blessings for the service men and women of the Florida National Guard and for all members of the United States military.

We place before you, O Lord, this Senate body, composed of men and women called to serve you and the people of the State of Florida. Grant them vision to see clearly through complex and murky issues. Bestow upon them your wisdom that they might rightly discern the way of righteousness. Uphold them with your strength that they might courageously and faithfully discharge the duties to which they have been called.

According to your promises, O God, direct our paths as we acknowledge you in all our ways. Amen.

HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the chamber and an Honor Guard of the Florida National Guard marched into the chamber bearing flags of the United States of America and the State of Florida.

The Honor Guard included the following members: Sergeant Major Thomas Aycock; Sergeant First Class James Riddick; Staff Sergeant Brian Presley; Specialist Kevin Knight; Technical Sergeant Michael Lewis Wilson II; Staff Sergeant Christopher Davenport Jones; and Technical Sergeant Jose Gonzales.

PLEDGE

Master Sergeant Jeffrey Warner led the Senate in the pledge of allegiance to the flag of the United States of America.

Master Sergeant Warner served in Vietnam and Northern Thailand during the Vietnam War. He is one of two remaining Vietnam Veterans still serving with honor in the Florida National Guard.

SPECIAL PERFORMANCE

The President introduced retired Lieutenant Colonel Cynthia Watkins who sang our National Anthem, *The Star-Spangled Banner*. Lieutenant Colonel Watkins retired after 20 years of service as a United States Army Transportation Officer.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senators Michael S. “Mike” Bennett and Carey Baker who were present in the chamber.

DOCTOR OF THE DAY

The President recognized Dr. Robert E. Pickard of Coconut Grove, sponsored by Senator Altman, as doctor of the day. Dr. Pickard specializes in Ear, Nose, and Throat.

Dr. Pickard served on active duty in the U.S. Air Force from 1966-1968 and on reserve duty with the Florida Army National Guard for 22 years before retiring as a Colonel from the U.S. Army Medical Corps.

SPECIAL RECOGNITION

The President recognized the anthems of each military branch in honor of those who served our country. A video was shown in tribute to

all those who have served in the Florida National Guard and to all women who have served in the military.

SPECIAL GUESTS

The President recognized Senator Altman who introduced special guest Major General James Tyre, who was present in the chamber, and other uniformed personnel who were present in the gallery. President Gaetz introduced the Adjutant General of the Florida National Guard, Major General Emmett R. Titshaw, Jr., who was present in the chamber.

SPECIAL RECOGNITION

The President recognized the following Senators for their military service and asked them to join him at the rostrum: Senator Abruzzo who served in the U.S. Coast Guard Reserves; Senator Brandes who served in the U.S. Army Reserves; Senator Dean who served in the U.S. Marine Corps Reserves; Senator Hays who served in the U.S. Coast Guard; Senator Richter who served in the U.S. Army and the U.S. Air Force Reserves; and Senator Thrasher who served in the U.S. Army. President Gaetz also recognized former Senators Michael S. “Mike” Bennett and Carey Baker for their military service and asked them to join him at the rostrum. After a group photograph, the President thanked the Senators for their service, and they returned to their seats.

ADOPTION OF RESOLUTIONS

On motion by Senator Evers—

By Senators Evers, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Hukill, Joyner, Latvala, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher—

SR 334—A resolution recognizing March 30, 2013, and each March 30 thereafter as “Welcome Home Vietnam Veterans Day.”

WHEREAS, the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Vietcong in conflict with the United States and South Vietnam, and

WHEREAS, the United States became involved in Vietnam, first in an advisory role to the South Vietnamese, because policymakers in the United States believed that if South Vietnam fell to a communist government, communism would spread throughout the rest of Southeast Asia, and

WHEREAS, on August 7, 1964, the United States Congress overwhelmingly passed the Gulf of Tonkin Resolution, which effectively handed over the war-making powers to President Lyndon Johnson until such time as peace and security had returned to Vietnam, and

WHEREAS, in 1965, there were 184,000 United States troops in Vietnam and, by 1969, that number had grown to about 475,000 troops, and

WHEREAS, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces, and, on March 30, 1973, the United States completed the withdrawal of combat troops, and

WHEREAS, during the course of the war, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 were wounded, and

WHEREAS, upon their return home, members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught in the crossfire of public debate about the involvement of the United States in the war, and the issue remained a divisive one for many years, and

WHEREAS, it was not until 1982 that the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those

members of the United States Armed Forces who died or were declared missing in action in Vietnam, and

WHEREAS, the establishment of “Welcome Home Vietnam Veterans Day” is an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War, NOW, THEREFORE,

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

That March 30, 2013, and each March 30 thereafter be recognized as “Welcome Home Vietnam Veterans Day.”

—was introduced out of order and read by title. On motion by Senator Evers, **SR 334** was read the second time in full and adopted.

SPECIAL RECOGNITION

The President recognized Senator Altman who thanked Donald Severance, Senate Sergeant at Arms, and other staff members for their service in the military.

Senator Evers recognized Master Sergeant Jeffrey Warner, who was present in the chamber, and the Vietnam Veterans who were present in the gallery.

At the request of Senator Evers, the Secretary read a citation for Master Sergeant Robert Martin Patterson of Pensacola, recipient of the Medal of Honor.

On motion by Senator Joyner—

By Senator Joyner—

SR 568—A resolution recognizing March 2013 as “Women’s History Month.”

WHEREAS, women have made historic contributions to the growth and strength of this state in countless ways, recorded and unrecorded, and

WHEREAS, women have played, and continue to play, a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force, working inside and outside the home, and

WHEREAS, women have played a unique role throughout the history of this nation by providing the majority of our volunteer labor force, and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions, and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive movement to improve society, and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the environmental justice movement, and other social justice campaigns, especially the peace movement, creating a more fair and just society for all, and

WHEREAS, despite these contributions, the role of women has been consistently overlooked and undervalued in literature and in the teaching and study of history, and

WHEREAS, in recognition of the contributions of women, Congress has passed a resolution each year since 1987 designating the month of March as “Women’s History Month,” and

WHEREAS, in 2013, the theme of Women’s History Month is “Women Inspiring Innovation Through Imagination: Celebrating Women in Science, Technology, Engineering, and Mathematics” and the month of March presents special opportunities to celebrate the accomplishments of women who have been trailblazers and history makers in these important contemporary fields of academia and industry, NOW, THEREFORE,

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

That March 2013 is recognized as “Women’s History Month” in Florida, and we call upon the residents of this state to participate in programs, ceremonies, and activities to foster an awareness of and appreciation for the contributions made by women which have benefited and improved society.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 568** was read the second time by title and adopted.

SPECIAL PRESENTATION

Senator Joyner recognized Senator Margolis for her legislative service and for being the first woman president of the Florida Senate.

The President recognized Minority (Democratic) Leader Smith and Majority (Republican) Leader Benacquisto who presented Senator Margolis with a plaque designating her as Dean of the Florida Legislature.

At the request of Senator Garcia—

By Senator Garcia—

SR 1654—A resolution recognizing the contributions of the Republic of Turkey and the Turkish American Federation of the Southeast and celebrating March 21, 2013, as “Turkish American Day” at the Capitol.

WHEREAS, the Republic of Turkey and the United States are long-standing allies, cherishing the values of freedom, democracy, and human rights, and

WHEREAS, in its alliance with the United States, the Republic of Turkey has demonstrated its commitment to world peace and liberty, as well as its tolerance of others in both secular and religious venues, and

WHEREAS, more than 15,000 Turkish Americans call Florida home, with more than 2,000 Turkish American businessmen contributing to the state, and

WHEREAS, the Istanbul Cultural Center, with its local branches in Ft. Lauderdale, Jacksonville, Miami, Orlando, Tallahassee, and Tampa, has become the most recognized organization of Turkish culture by disseminating knowledge of the language, history, culture, education, and social life of Turkey in Florida and other states of the Southeast, and

WHEREAS, the Istanbul Cultural Center, along with the Turkish American Federation of the Southeast and the Atlantic Institute for International Affairs, has facilitated greater cultural understanding between Turkish Americans and other people of this state by providing opportunities to connect with community leaders of diverse cultural and faith backgrounds, and by sponsoring television interviews, advertisements, and various business, education, intercultural, and faith trips to Turkey, and

WHEREAS, the Turkish American Chamber of Commerce of the Southeast United States organizes trade missions and trips to Turkey to explore import and export opportunities between Turkey and the United States, and

WHEREAS, every spring, the Anatolia Cultural Center organizes the Turkish Festival in Ft. Lauderdale, a worldwide event that is attended by tens of thousands of Floridians, with those numbers continuing to grow, and entertains crowds with contemporary and traditional varieties of Turkish music and performances, NOW, THEREFORE,

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

That the Turkish American community of Florida and the Turkish American Federation of the Southeast, the Turkish American Chamber of Commerce, the Istanbul Cultural Center, and the Atlantic Institute for International Affairs be recognized for their contributions to diversity, economic well-being, culture, faith, and quality of life in the state, and that March 21, 2013, be celebrated as “Turkish American Day” at the Capitol.

—**SR 1654** was introduced, read and adopted by publication.

At the request of Senator Gardiner—

By Senator Gardiner—

SR 1780—A resolution extending congratulations to the faculty, administration, staff, students, and alumni of the University of Central Florida on the occasion of the university’s 50th anniversary and recognizing March 20, 2013, as “UCF Day” in Florida.

WHEREAS, the University of Central Florida (UCF) is the nation’s second-largest university, with an enrollment of nearly 60,000 students and more than 210,000 alumni, the majority of whom reside in this state, and

WHEREAS, UCF is a major driver of economic development and the direct, indirect, and induced impact of UCF operations, student spending, and the Central Florida Research Park resulted in an economic output of more than \$4.3 billion for the 2011 fiscal year, and

WHEREAS, the award-winning DirectConnect to UCF program is a national model for providing Floridians the opportunity to affordably attain higher education through partnerships with local state colleges, and

WHEREAS, UCF’s College of Medicine helped attract a cluster of life sciences centers and research institutions to the new Medical City in Lake Nona, which is projected to bring more than 30,000 jobs to the Orlando community and to have more than \$7.6 billion in annual economic impact beginning in 2017, and

WHEREAS, UCF has more than doubled the awarding of critical science, technology, engineering, and mathematics (STEM) degrees in the past decade, and

WHEREAS, UCF is regularly ranked as one of the nation’s “best value” universities for its affordability, value, and quality by organizations such as the *Princeton Review* and *Kiplinger*, and

WHEREAS, UCF strives to reflect the growing diversity of its community, with minorities representing 40 percent of the student body, and

WHEREAS, UCF is a model of efficiency, spending nearly 40 percent less on administrative costs than the state university system average, and

WHEREAS, the modeling, simulation, and training industry is anchored in Central Florida, bringing \$3 billion to the region thanks to partnerships between UCF, the United States Armed Forces, and innovative high-tech companies, and

WHEREAS, UCF fosters the arts in the community through its partnerships in theatre, digital film, music, and public television and radio broadcasting, and

WHEREAS, UCF serves as a valued contributor to the Central Florida region through staff and student volunteers who generate more than 200,000 service hours annually to charities in the community and more than \$200,000 through fundraising efforts, and

WHEREAS, 2013 marks the 50th anniversary of the founding of UCF, NOW, THEREFORE,

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

That we congratulate the faculty, administration, staff, students, and alumni of the University of Central Florida on the occasion of the university’s 50th anniversary and recognize March 20, 2013, as “UCF Day” in Florida.

—**SR 1780** was introduced, read and adopted by publication.

MOMENT OF SILENCE

At the request of Senator Latvala, the Senate observed a moment of silence for Army Specialist Zachary Shannon of Dunedin, Florida. Spe-

cialist Shannon gave the ultimate sacrifice at age 21 when his helicopter went down in the Daman district of Kandahar, Afghanistan on March 11, 2013. He was an Army mechanic who worked on Black Hawk helicopters. Shannon was a member of the Navy JROTC program at Dunden High School.

At the request of Senator Bullard, the Senate observed a moment of silence for his mother, former Senator Larcenia J. Bullard, who passed away on March 16, 2013.

REMARKS

On motion by Senator Thrasher, the following remarks were ordered spread upon the Journal:

Senator Bullard: Thank you, Mr. President. This is, hands down, the toughest moment of silence I could ever request. Bear with me. Senator Larcenia Bullard, for many of us, many of you, was a friend and a colleague. For me, she was so much more. She was a teacher, oftentimes a preacher, a motivator, part-time comedian, and my number one cheerleader. She lived to serve. Many of us discovered service—my mother was born into it—whether as a civil rights activist, early childhood administrator, first grade teacher, community servant, or legislator. My mother believed strongly and heavily in this process and loved and adored the people in it. She put every ounce of her energy into serving the district as well as the State of Florida. Oftentimes, she would go to the point where she almost put her life on the line on more than one occasion for the people of District 39. Her love was expressed not only in words, but in actions. She walked the halls smiling, hugging, and speaking to everyone. Her place in history is set. My challenge to you is to take a piece of her spirit with you and learn to love. Learn to love people. Learn to love the people through your policy. On February 7, 2012, she stood at the well and, in the closing of her farewell address, uttered these words, “God grant me the serenity to accept the things I cannot change; courage to change the things I can; and wisdom to know the difference.” Each one of us should remember those words and remind ourselves of that Serenity Prayer whenever we have the opportunity to change people’s lives for the better. With that, I thank you, Mr. President.

BILLS ON THIRD READING

SB 200—A bill to be entitled An act relating to trust funds; re-creating the Transportation Revenue Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0815(4), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 200** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Thompson

SB 202—A bill to be entitled An act relating to trust funds; re-creating the Transportation Governmental Bond Trust Fund within the Department of Transportation without modification; repealing s. 339.0816(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 202** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Smith

SB 204—A bill to be entitled An act relating to the termination of trust funds within the Department of Transportation; terminating the Everglades Parkway Construction Trust Fund; terminating the Jacksonville Transportation Authority Project Construction Trust Fund; providing for the transfer of any balances or revenues in the trust funds; requiring that the department pay outstanding debts or obligations of the trust funds; requiring that the Chief Financial Officer close out and remove the terminated funds from the state accounting systems; terminating the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for the transfer of any balances or revenues in the trust fund; requiring that the department pay outstanding debts or obligations of the trust fund; requiring that the Chief Financial Officer close out and remove the terminated fund from the various state accounting systems; repealing s. 339.082, F.S., relating to the Federal Law Enforcement Trust Fund; repealing s. 932.7055(6)(j), F.S., relating to an exception to proceeds deposited into the General Revenue Fund by the Department of Transportation; repealing s. 2(2)(b) and (f) of ch. 2004-235, L.O.F., relating to an exemption from termination for the Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund within the Department of Transportation; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 204** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Joyner
Bean	Evers	Latvala
Benacquisto	Flores	Lee
Bradley	Galvano	Legg
Brandes	Garcia	Montford
Braynon	Gardiner	Negron
Bullard	Gibson	Richter
Clemens	Grimsley	Ring

Sachs	Smith	Stargel
Simmons	Sobel	Thompson
Simpson	Soto	Thrasher

Nays—None

SB 206—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of State without modification; repealing s. 20.105(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 206** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 208—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Economic Opportunity without modification; repealing s. 20.181(3), F.S.; abrogating provisions relating to the termination of the trust fund to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 208** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 210—A bill to be entitled An act relating to trust funds; re-creating the Clearing Funds Trust Fund within the Department of State without modification; repealing s. 20.104(3), F.S.; abrogating provisions relating

to the termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Gardiner, **SB 210** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 212—A bill to be entitled An act relating to trust funds; amending s. 379.207, F.S.; deleting a restriction on an expenditure from the Lifetime Fish and Wildlife Trust Fund; amending s. 379.212, F.S.; renaming the Fish and Wildlife Habitat Program as the Land Acquisition Trust Fund; creating s. 379.213, F.S.; providing for the administration and funding of the Save the Manatee Trust Fund; creating s. 379.214, F.S.; providing for the administration and funding of the Invasive Plant Control Trust Fund; providing an effective date.

—as amended March 12 was read the third time by title.

On motions by Senator Hays, **SB 212** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 214—A bill to be entitled An act relating to trust funds; terminating the Florida Forever Program Trust Fund within the Department of Environmental Protection; providing for the disposition of balances in, revenues of, and all outstanding appropriations of the trust fund; prescribing procedures for the termination of the trust fund; repealing s. 380.5115, F.S., relating to the Florida Forever Program Trust Fund within the Department of Environmental Protection; amending s. 259.101, F.S.; revising the designation of revenues from the disposal of lands in the Preservation 2000 program; providing an effective date.

—was read the third time by title.

On motions by Senator Hays, **CS for SB 214** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto

SB 216—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Management Services without modification; repealing s. 20.221(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Hays, **SB 216** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Thompson

SB 218—A bill to be entitled An act relating to trust funds; re-creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation without modification; repealing s. 494.00173(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Hays, **SB 218** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 220—A bill to be entitled An act relating to trust funds; re-creating the Capital Collateral Regional Counsel Trust Fund within the Justice Administrative Commission without modification; repealing s. 27.715(2), F.S.; abrogating provisions relating to the scheduled termination of the trust fund, to conform; providing an effective date.

—was read the third time by title.

On motions by Senator Bradley, **SB 220** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 50—A bill to be entitled An act relating to public meetings; creating s. 286.0114, F.S.; defining “board or commission”; requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; providing exceptions; establishing requirements for rules or policies adopted by the board or commission; providing that compliance with the requirements of this section is deemed to have occurred under certain circumstances; providing that a circuit court has jurisdiction to issue an injunction under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that an action taken by a board or commission which is found in violation of this section is not void; providing that the act fulfills an important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for SB 50** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

CS for CS for SB 336—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; clarifying that the proceeds of the tax may be used for the benefit of certain museums or aquariums; clarifying that the tax automatically expires upon the retirement of all bonds issued by the county for financing certain facilities; providing an effective date.

—as amended March 12 was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 336** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Brandes—

CS for SB 138—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 138** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; amending s. 456.013, F.S.; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waivers; limiting the time period a veteran can apply to 24 months after honorable discharge; amending s. 468.304, F.S.; requiring that the department waive the initial application fee for veterans who apply for a radiological personnel certification; requiring the department to prescribe the form of the fee waiver; limiting the time period a veteran can

apply to 24 months after honorable discharge; excluding a specific fee from the waiver; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 118—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 118** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

CS for SB 286—A bill to be entitled An act relating to design professionals; amending s. 558.002, F.S.; redefining the term “design professional”; creating s. 558.0035, F.S.; specifying conditions under which a design professional employed by a business entity or an agent of the business entity may not be held individually liable for damages resulting from negligence occurring within the course and scope of a professional services contract; defining the term “business entity”; amending ss. 471.023, 472.021, 481.219, 481.319, and 492.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment which failed:

Amendment 1 (129170)—Delete lines 43 and 44 and insert: *liability insurance required under the contract;*

(e) *The contract includes a prominent statement, in uppercase font that is at least 5 point sizes larger than the rest of the text, disclosing whether the business entity currently maintains professional liability insurance and, if applicable, identifying the aggregate limit as well as the coverage limit per claim, per occurrence, or per project; and*

(f) *Any damages are solely economic in nature and the*

Pursuant to Rule 4.19, **CS for SB 286** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

SB 1766—A bill to be entitled An act relating to driver licenses; amending s. 322.04, F.S.; revising requirements relating to exemptions from licensure requirements for nonresidents; deleting a requirement that residents of foreign countries hold an International Driving Permit to be exempt; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1766** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; speci-

fying that the standard for reunification from “endangerment” to “the best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 164** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 224—A bill to be entitled An act relating to the Florida Small Business Development Center Network; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network’s statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 224** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; requiring an affidavit; requiring the Department of Highway Safety and Motor Vehicles to issue a decal; providing specifications for the decal; providing for a fee; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 62** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 352—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming

Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 352** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 322—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 322** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

SB 520—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting a requirement that emergency medical technicians, paramedics, and 911 public safety telecommunicators complete an educational course on HIV and AIDS; amending s. 401.23, F.S.; redefining the terms “basic life support” and “advanced life support” for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; revising the period for review of the comprehensive state plan for emergency medical services and programs; amending s. 401.27, F.S.; revising requirements for the certification and recertification of emergency medical technicians and paramedics; revising requirements for the certification of emergency medical technicians and paramedics trained outside the state; revising the time limit by which applicants trained outside the state must complete the certification examination without having to submit a new application and meet all eligibility and fee requirements; amending s. 401.2701, F.S.; revising requirements for institutions that conduct approved programs for the education of emergency medical technicians and paramedics; revising requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was read the second time by title.

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

On motion by Senator Ring—

SB 1764—A bill to be entitled An act relating to transparency in government spending; amending s. 215.985, F.S.; adding a definition; requiring the Executive Office of the Governor to establish a single website providing access to other websites; revising provisions relating to the establishment of a website relating to the approved operating budget; requiring the office to establish a website providing information about fiscal planning for the state and specifying the information to be included on the website; requiring the Department of Management Services to maintain a website that provides current information on state employees and officers; revising provisions requiring the Legislative Auditing Committee to provide recommendations to the Legislature about adding other information to a website; requiring website managers to provide information about the cost of creating and maintaining each website; revising provisions relating to access to the state contract management system to require that such information be accessible through a website; requiring state agencies to post certain information on the system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; providing procedures for removing such information from the system; authorizing the Chief Financial Officer to make certain information available on a website for viewing and downloading by the public and providing guidelines for regulation of such website; providing applicability of public record requests for information posted on the website; authorizing the Chief Financial Officer to adopt rules; creating the User Experience Task Force to develop and

recommend a design for consolidating existing state-managed websites; providing for membership; providing for staffing; requiring reports; providing for expiration; providing for an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1764** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **SB 200, SB 202, SB 204, SB 206, SB 208, SB 210, SB 212, CS for SB 214, SB 216, SB 218, and SB 220** were ordered immediately certified to the House.

On motion by Senator Negron, portions of Senate Rule 2.39 were waived and the following deadlines and policies were applied to all bills on the agenda to be considered by the Committee on Appropriations on April 3:

- The deadline for filing amendments to any bill on the agenda is 1:30 p.m., Monday, April 1.
- The deadline for filing amendments to amendments and substitute amendments to any bill on the agenda is 1:30 p.m., Tuesday, April 2.

REPORTS OF COMMITTEES

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 19, 2013: CS for SB 138, CS for SB 160, CS for SB 118, CS for SB 286, SB 1766, CS for SB 164, CS for SB 224, CS for CS for SB 62, SB 352, CS for SB 322, SB 520, SB 1764.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 778

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

The Committee on Criminal Justice recommends the following pass: SB 1330

The Committee on Judiciary recommends the following pass: SB 1464

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Education recommends the following pass: SB 916

The bill was referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Agriculture recommends the following pass: SB 1700

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Agriculture recommends the following pass: SB 1738

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1162

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

The Committee on Agriculture recommends the following pass: SB 1756

The Committee on Criminal Justice recommends the following pass: SB 824

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1222; SB 1476

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Judiciary recommends the following pass: SB 604

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1660

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 654

The Committee on Transportation recommends a committee substitute for the following: SB 1632

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 504

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

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 922; SB 960

The Committee on Criminal Justice recommends a committee substitute for the following: SB 664

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1628

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 546

The Committee on Transportation recommends a committee substitute for the following: SB 1458

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

The Committee on Agriculture recommends a committee substitute for the following: SB 872

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1434

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

The Committee on Transportation recommends a committee substitute for the following: SB 1110

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1406

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 774

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 716; SB 1644

The Committee on Criminal Justice recommends a committee substitute for the following: SB 946

The Committee on Transportation recommends a committee substitute for the following: SB 1752

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

The Committee on Appropriations recommends a committee substitute for the following: SB 306

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 658

The Committee on Judiciary recommends a committee substitute for the following: SB 1494

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 618

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 592

The bill with committee substitute attached was placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 86; CS for CS for SB 92

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: SB 236

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Children, Families, and Elder Affairs recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Director, Agency for Persons with Disabilities

Appointee: Palmer, Barbara Jo Pleasure of Governor

Secretary of Elderly Affairs

Appointee: Corley, Charles Thomas Pleasure of Governor

The Committee on Criminal Justice recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment *For Term Ending*

Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal

Appointee: Ryan, Antony Parker, Esquire 07/01/2015

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

Office and Appointment *For Term Ending*

Board of Trustees, Florida International University

Appointee: Grant, Gerald C., Jr. 01/06/2016

Board of Trustees, University of Florida

Appointee: Edwards, Charles B. 01/06/2016

Board of Trustees, University of North Florida

Appointee: Franklin, Fred D., Jr. 01/06/2018

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

Office and Appointment *For Term Ending*

Board of Governors of the State University System

Appointee: Morton, Edward Allen 01/06/2020

Board of Trustees, Florida Atlantic University

Appointee: Moabery, Abdol 01/06/2016

Board of Trustees, University of North Florida

Appointee: Russell, Lanny 01/06/2016

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Resolutions 1778-1782—Not referenced.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

SB 1784—A bill to be entitled An act relating to military installations; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to acquire certain nonconservation lands to buffer a military installation against encroachment; amending s. 288.980, F.S.; providing legislative findings; providing functions of the Military Base Protection Program; authorizing the Department of Economic Opportunity to annually recommend nonconservation lands for acquisition through fee simple purchase or less-than-fee interest purchase to the Board of Trustees of the Internal Improvement Trust Fund for the purpose of preventing the encroachment of military installations; requiring the board of trustees to also consider land acquisition recommendations of the Florida Defense Support Task Force; authorizing funds appropriated to the Military Base Protection Program to be used for land acquisition to prevent or reduce encroachment of military installations; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations; and Senators Braynon and Abruzzo—

CS for SB 306—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, which is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority-plus-one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposal; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a tax rebate for a renovated professional sports facility; conforming a cross-reference; amending s. 218.64, F.S.; conforming a cross-reference; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definition of the terms “international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; amending s. 288.1162, F.S.; authorizing a professional sports franchise renovation facility to apply for certain state funds; defining the term “professional sports franchise renovation facility”; authorizing a professional sports franchise renovation facility to receive additional funding; requiring the Department of Economic Opportunity to make a determination that certain criteria are met before certifying a professional sports franchise renovation facility; limiting the use of certain funds by a professional sports franchise renovation facility; prohibiting the department from certifying more than one professional sports fran-

chise renovation facility; clarifying that the limitations for certification apply to new or retained professional sports franchise facilities; amending s. 288.11621, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Criminal Justice; and Senators Brandes, Gardiner, and Lee—

CS for SB 504—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

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

CS for SB 546—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute’s reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; providing for certain administrative costs of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

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

CS for SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising “Notice to Defendant” provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiff’s or the garnishee’s attorney; extending the time allowed for the plaintiff or the plaintiff’s attorney to respond to the defendant’s claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff’s attorney when the plaintiff’s attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Ring—

CS for SB 618—A bill to be entitled An act relating to gasoline stations; amending s. 526.141, F.S.; providing requirements for accessibility for disabled persons at gasoline stations; requiring the gasoline station to have a telephone number that is operational and answered by an attendant during the hours the gasoline station is open; requiring certain signage at each self-service gasoline pump; providing exceptions; providing for size and content of the signs; requiring an attendant to provide refueling assistance to a person with a permit or license plate issued under specified provisions; removing criminal penalties; requiring the Department of Agriculture and Consumer Services to enforce subsection (5); providing an effective date.

By the Committees on Criminal Justice; and Agriculture; and Senator Montford—

CS for CS for SB 654—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; providing that an owner of containers used for the storage or transport of agricultural or other commercial products may adopt for his or her exclusive use a particular mark or brand to designate and distinguish ownership of the containers; making technical and grammatical changes; creating s. 506.265, F.S.; providing definitions; requiring that a person who purchases five or more plastic bulk merchandise containers from one seller obtain proof of ownership, verify the seller's identity, pay noncash, and record and maintain other information for a specified period of time; providing that prosecuting attorneys may inspect the records at any time upon reasonable notice; providing an exception for licensed waste haulers and certain tax-exempt entities; creating s. 506.266, F.S.; providing criminal and civil penalties; providing an effective date.

By the Committees on Commerce and Tourism; and Regulated Industries; and Senators Simpson, Ring, Brandes, Joyner, Hays, and Thompson—

CS for CS for SB 658—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing an exception to the maximum allowable capacity for individual containers of wine sold in this state; providing that, except as provided in s. 564.09, F.S., all wine containers sold or offered for sale at retail for consumption off the premises shall be in the original container; providing an effective date.

By the Committee on Criminal Justice; and Senator Simmons—

CS for SB 664—A bill to be entitled An act relating to state taxes on motor fuel; amending ss. 206.41 and 206.625, F.S.; requiring that certain motor fuel taxes paid by a county sheriff's office be returned and used to offset ongoing fuel costs; amending ss. 206.86 and 206.874, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Simpson, Abruzzo, Bradley, Hays, Ring, Evers, Benacquisto, Dean, Gibson, Detert, Richter, Soto, and Garcia—

CS for SB 716—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military service member or the member's spouse or child in certain circumstances; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Thompson, Clemens, Soto, Sobel, Joyner, Abruzzo, Margolis, Ring, Gibson, and Braynon—

CS for SB 774—A bill to be entitled An act relating to the Florida Civil Rights Act of 1992; providing a short title; amending s. 760.02, F.S.; expanding the meaning of "sex" as the term relates to the Florida Civil Rights Act of 1992; specifying that a woman who is pregnant or who is affected by a medical condition related to pregnancy or childbirth must be treated the same for all employment-related purposes, including receipt of benefits, as an individual who has a medical condition unrelated to pregnancy or childbirth; amending s. 760.11, F.S.; extending the time for the Florida Commission on Human Relations to investigate complaints and determine reasonable cause; specifying powers of the commission and administrative law judges to enter proposed orders to prohibit practices that violate the Florida Civil Rights Act of 1992; providing that attorney fees be calculated consistent with federal case law; extending the time before a complainant may proceed with civil or administrative action when the commission fails to conciliate or determine whether there is reasonable cause; providing an effective date.

By the Committee on Agriculture; and Senators Abruzzo, Thompson, Evers, Altman, and Bullard—

CS for SB 872—A bill to be entitled An act relating to animal shelters and animal control agencies; providing a short title; creating s. 823.17, F.S.; providing legislative findings; requiring each animal shelter and animal control agency to compile monthly and annual summaries of statistical data; listing the categories of information required in the summaries; requiring the summaries be posted on the entity's website within a specified time period; requiring each summary to be signed by the director of the animal shelter or animal control agency as true and accurate; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Bradley, Bean, Dean, Thrasher, and Gibson—

CS for SB 922—A bill to be entitled An act relating to professional sports franchise facilities; amending ss. 288.1162 and 212.20, F.S.; authorizing an applicant previously certified as a facility for a new or retained professional sports franchise to receive an additional certification under certain circumstances, and to receive an additional monthly distribution of a specified amount of sales tax revenues to improve the condition of the facility to meet or exceed certain facility standards; providing that the Department of Economic Opportunity administer the certification program; defining the term "facility standards"; requiring the Department of Economic Opportunity to notify the Department of Revenue of applicants that receive an additional certification; providing an effective date.

By the Committee on Criminal Justice; and Senator Simmons—

CS for SB 946—A bill to be entitled An act relating to computer or electronic device harassment; creating s. 847.0042, F.S.; prohibiting knowing use of a computer or other device to transmit or post any photograph or video of an individual which depicts nudity and specified information relating to the depicted individual for the purpose of harassment; providing criminal penalties; providing enhanced penalties for violations by persons 18 years of age or older involving victims younger than 16 years of age; providing for jurisdiction; amending s. 921.244, F.S.; providing that a person convicted of a violation of s. 847.0042, F.S., be ordered to have no contact with the victim; providing criminal penalties for violation of such an order; providing an effective date.

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

CS for SB 960—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing an exception to sales tax for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.0501, F.S.; providing an exception from sales tax collected by a licensed sales tax dealer for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.08, F.S.; providing a sales tax exemption for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; providing an effective date.

By the Committee on Transportation; and Senator Evers—

CS for SB 1110—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring special officers employed by a railroad or other common carrier to comply with specified continuing training or education requirements; providing that a special officer is not considered a "law enforcement officer" except for purposes of ss. 943.085-943.255, F.S.; providing that a Class I or Class II railroad is not considered an "employing agency" except for purposes of ss. 943.085-943.255, F.S.; providing responsibility of certain costs; amending s. 784.07, F.S.; defining the term "railroad special officer"; providing for reclassification of certain offenses committed against a railroad special officer; amending s. 943.10, F.S.; including special officers employed by a railroad or other common carrier within the definition of "law enforcement officer" and including certain railroads within the definition of "employing agency" for purposes of specified provisions relating to law enforcement officer standards; providing an effective date.

By the Committee on Criminal Justice; and Senator Bean—

CS for SB 1406—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising provisions to be included in the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information for program and program activities to the Legislature and the public; deleting legislative intent language; requiring implementation of an accountability system to ensure client needs are met; requiring the department and the Department of Education to submit an annual report that includes data on program costs and effectiveness and student achievement and recommendations for elimination or modification of programs; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing; requiring the Department of Education to assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system that assesses and evaluates all juvenile justice education programs; revising requirements of district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; correcting a cross-reference; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; deleting a requirement for an annual report; requiring data collection; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Criminal Justice; and Senator Evers—

CS for SB 1434—A bill to be entitled An act relating to law enforcement; amending ss. 125.5801 and 166.0442, F.S.; revising provisions for criminal history record checks for certain county and municipal employees and appointees; amending s. 406.145, F.S.; deleting duties of law enforcement agencies and the department relating to unidentified person reporting forms; amending s. 538.26, F.S.; limiting the number of lead-acid batteries or parts thereof that a secondary metals recycler may purchase in certain transactions in a single day; amending s. 937.021, F.S.; revising provisions relating to missing child and adult reports; amending s. 937.024, F.S.; revising provisions relating to the birth records of missing children; amending s. 937.025, F.S.; revising provisions providing criminal penalties for persons who knowingly provide false information concerning a missing child; amending s. 937.028, F.S.; revising provisions relating to fingerprints of missing persons; authorizing retention of such fingerprints entered into the statewide biometric identification system; amending s. 943.03, F.S.; revising terminology relating to documents and information systems; deleting an obsolete

provision; amending s. 943.031, F.S.; correcting a reference; revising provisions relating to meetings of the Florida Violent Crime and Drug Control Council, the Drug Control Strategy and Criminal Gang Committee, and the Victim and Witness Protection Review Committee; making specified provisions subject to legislative funding; providing for return of unexpended funds by specified recipients; amending s. 943.0435, F.S.; specifying additional items to be reported by persons required to register as sexual offenders; amending s. 943.04351, F.S.; revising requirements for searches of registration information regarding sexual predators and sexual offenders; amending s. 943.0438, F.S.; deleting an obsolete provision; amending s. 943.045, F.S.; defining the term "biometric"; revising the definition of the term "criminal justice information"; amending s. 943.05, F.S.; revising duties of the Criminal Justice Information Program; redesignating the statewide automated fingerprint identification system as the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring additional information to be collected from persons charged with or convicted of specified offenses and submitted electronically to the department; providing an exception to the fingerprinting of certain juveniles; amending s. 943.052, F.S.; revising terminology relating to disposition reporting; revising information to be submitted concerning persons received by or discharged from the state correctional system or certain juveniles committed to the Department of Juvenile Justice; amending s. 943.053, F.S.; revising a reference to rules governing criminal justice information received from the Federal Government or other states; conforming terminology; amending s. 943.054, F.S.; revising provisions relating to the availability of criminal history information derived from any United States Department of Justice criminal justice information system; amending s. 943.0542, F.S.; revising terminology relating to requests for screening; authorizing rulemaking relating to payments for screening; amending s. 943.0544, F.S.; revising terminology relating to the Criminal Justice Network; amending s. 943.055, F.S.; revising provisions relating to dissemination of criminal justice information derived from department information systems; providing for audits of noncriminal justice agencies when necessary to ensure compliance with requirements; amending s. 943.056, F.S.; providing for requests for corrections of federal criminal history record information in certain circumstances; amending s. 943.0582, F.S.; increasing the period in which a minor may seek expunction of a nonjudicial arrest record following completion of a diversion program; revising language relating to a statement to the department by a state attorney concerning such an expunction request; deleting an obsolete provision; amending ss. 943.0585 and 943.059, F.S.; revising language relating to expunctions and sealing precluded by prior criminal history sealings or expunctions; authorizing persons seeking authorization for employment with or access to certain seaports to deny or fail to acknowledge certain expunged or sealed records; amending s. 943.125, F.S.; providing for accreditation of correctional facilities, public agency offices of inspectors general, and certain pretrial diversion programs; authorizing funding and support of additional accreditation programs; amending s. 943.13, F.S.; deleting a provision authorizing temporary employment of a person seeking employment as a law enforcement or correctional officer if there is an administrative delay in fingerprint processing; deleting obsolete language; amending s. 943.132, F.S.; revising references to federal qualified active or qualified retired law enforcement concealed firearms provisions; deleting a requirement that the Criminal Justice Standards and Training Commission develop a uniform firearms proficiency verification card; amending s. 943.1395, F.S.; revising language relating to investigations on behalf of the Criminal Justice Standards and Training Commission; amending s. 943.1755, F.S.; providing that the department maintains responsibility for delivering and facilitating all Florida Criminal Justice Executive Institute training; revising membership of the institute's policy board; amending s. 943.1757, F.S.; deleting a requirement for a periodic report by the Criminal Justice Executive Institute concerning executive training needs; amending s. 943.25, F.S.; authorizing, rather than requiring, the Criminal Justice Standards and Training Commission to forward to each regional training council a list of its specific recommended priority issues or items to be funded; authorizing the commission to use computer-based testing as an assessment instrument; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; revising provisions relating to the availability to defendants of state-operated criminal analysis laboratories; specifying that defense experts and others are not authorized to be present in such laboratories or use laboratory equipment; revising provisions relating to costs of laboratory testing performed for defendants; amending s. 943.68, F.S.; revising the due date of a report detailing transportation and protective services provided by the department; amending ss. 285.18, 414.40, 447.045, 455.213,

468.453, 475.615, 493.6105, 493.6108, 494.00312, 494.00321, 494.00611, 517.12, 538.09, 538.25, 548.024, 550.105, 550.908, 551.107, 560.141, 628.906, 633.34, 744.3135, 775.21, 775.261, 790.06, 944.607, 944.608, 985.11, 985.644, 985.4815, 1002.395, 1002.421, 1012.32, and 1012.467, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Transportation; and Senator Brandes—

CS for SB 1458—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; providing legislative intent relating to road rage and traffic congestion; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring that an operator of a motor vehicle yield the furthestmost left-hand lane when being overtaken on a multilane highway; providing exceptions; reenacting s. 316.1923, F.S., relating to aggressive careless driving, to incorporate the amendments made to s. 316.083, F.S., in a reference thereto; requiring that the Department of Highway Safety and Motor Vehicles provide information about the act in driver license educational materials that are newly published on or after a specified date; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of a motor vehicle for refusal to pay penalty; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance under the section; providing that displaying such information on an electronic device does not constitute consent for a law enforcement officer to access other information stored on the device; providing that the person displaying the device assumes the liability for any resulting damage to the device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner’s permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking an unapproved course; providing criteria for initial approval of courses; revising requirements for assessment fees, courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; establishing a pilot rebuilt motor vehicle inspection program; providing definitions; requiring the department to contract with private vendors to establish and operate inspection facilities in certain counties; providing minimum requirements for applicants; requiring the department to submit a report to the Legislature; providing for future repeal; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.30, F.S.; defining the terms “National Motor Vehicle Title Information System,” “nonrepairable vehicle,” and “self-insured entity,” in connection with the dismantling, destruction, change of identity of motor vehicles or mobile homes, and the salvage of such vehicles; providing for the department to declare certain vehicles as nonrepairable and print a certificate of destruction; permitting a licensed salvage motor vehicle dealer or a registered secondary metals recycler to seek reimbursement for the purchase price of a derelict vehicle from a lienholder and prohibiting the recovery of any other costs; including a self-insured motor vehicle or mobile home in the existing framework for determining a total loss vehicle; requiring a self-insured entity that is the owner of a motor vehicle

or mobile home that is considered salvage to forward the title to the motor vehicle or mobile home to the department for processing within 72 hours after the motor vehicle or mobile home becomes salvage; requiring an insurance company that pays money as compensation for a salvaged motor vehicle or mobile home to obtain the certificate of title, and within 72 hours, forward the certificate of title to the department for processing, and make the required notification to the National Motor Vehicle Title Information System; requiring a self-insured entity to provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought; requiring that a vehicle for which a certificate of destruction is sought to authorize the dismantling or destruction of the motor vehicle or mobile home by a licensed salvage motor vehicle dealer; requiring secondary metals recyclers and salvage motor vehicle dealers to keep an original, or a copy in the event the original was returned to the department, of proof of reporting to the National Motor Vehicle Title Information System; requiring secondary metals recyclers and salvage motor vehicle dealers to make certain reports on a monthly basis; requiring an independent entity to make notification to the National Motor Vehicle Title Information System before releasing any damaged or dismantled motor vehicle to the owner or before applying for a certificate of destruction or salvage certificate of title; requiring all salvage motor vehicle dealers, secondary metals recyclers, auctions, independent entities, or self-insured entities that operate in salvage motor vehicles to register with the National Motor Vehicle Title Information System; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable motor vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.05, F.S.; revising provisions relating to record inspection procedures and fees; deleting provisions that permit certain public inspection of registration records; deleting a provision allowing certain businesses and professionals to obtain information by telecommunication in certain circumstances; conforming and clarifying a list of records that may be provided by the department; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a co-owner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; providing a timeframe for course length; prohibiting a provider from charging for a completion certificate; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from certain students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s.

322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; amending s. 322.18, F.S.; revising provisions for a vision test required for driver license renewal for certain drivers; amending s. 322.21, F.S.; providing a fee for a commercial learner's permit; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending s. 322.2615, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.2616, F.S., relating to review of a license suspension when the driver is under 21 years of age and had blood or breath alcohol at a certain level; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.585, F.S.; requiring that a lienholder check the National

Motor Vehicle Title Information System or the records of any corresponding agency of any other state before enforcing a lien by selling the motor vehicle; requiring the lienholder to notify the local law enforcement agency in writing by certified mail informing the law enforcement agency that the lienholder has made a good faith effort to locate the owner or lienholder; specifying that a good faith effort includes a check of the Department of Highway Safety and Motor Vehicles database records and the National Motor Vehicle Title Information System; setting requirements for notification of the sale of the vehicle as a way to enforce a lien; requiring the lienholder to publish notice; requiring the lienholder to keep a record of proof of checking the National Motor Vehicle Title Information System; amending s. 713.78, F.S.; revising provisions for enforcement of a lien for recovering, towing, or storing a vehicle or vessel; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Thrasher—

CS for SB 1494—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department's power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing for construction; prohibiting specified actions by a person knowing or having reason to believe that a subpoena is pending; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing an effective date.

By the Committee on Agriculture; and Senator Montford—

CS for SB 1628—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs;

amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring and renumbering s. 570.072, F.S., relating to commodity distribution; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the

department's rules; amending s. 1003.453, F.S.; requiring each school district to electronically submit a revised local school wellness policy to the Department of Agriculture and Consumer Services and a revised physical education policy to the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; increasing the allowable permit fee and requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; deleting limits on application fees for permits to remove vegetation on public rights-of-way; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not

be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, certain displays on specific sports facilities, and certain signs at welcome centers; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department's acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Flores—

CS for SB 1644—A bill to be entitled An act relating to victims of human trafficking; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Flores—

CS for SB 1660—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications or notification of entities that are eligible for the award; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by

a specified date, and annually thereafter, the status of implementing the award program; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; amending s. 381.922, F.S.; authorizing endowments under the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at research institutions contingent upon an appropriation; requiring submission of proposals; requiring that research institutions report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

By the Committee on Transportation; and Senator Braynon—

CS for SB 1752—A bill to be entitled An act relating to driver licenses and driving privileges; creating the "Driver's Accountability Act"; amending s. 318.18, F.S.; providing a criminal and civil penalty payment alternative when a court finds the violator has demonstrable financial hardship; amending s. 322.34, F.S., relating to driving while a license is suspended, revoked, canceled, or disqualified; revising penalty provisions; amending s. 322.245, F.S.; revising provisions for the Department of Highway Safety and Motor Vehicles to suspend the license of a person who has failed to pay a financial obligation for a criminal offense; amending ss. 921.0022 and 932.701, F.S.; conforming cross-references; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and Senator Diaz de la Portilla—

CS for CS for SB 84—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction, operation, ownership, and financing of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; providing an effective date.

—was referred to the Committees on Transportation; and Appropriations.

By the Committee on Governmental Oversight and Accountability; and Senators Benacquisto and Brandes—

CS for SB 1150—A bill to be entitled An act relating to state contracting; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring

state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; authorizing the Department of Financial Services to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.057, F.S.; requiring certain contract managers to be certified and directing the Department of Management Services to be responsible for establishing the requirements for certification; amending s. 287.058, F.S.; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy Appointee: Riggs, Stephen C. III, Destin	10/31/2016
Florida Building Commission Appointees: Dean, Nanette, Ft. Myers Frank, Charles L., Crawfordville	04/05/2017 03/11/2017
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointee: Gillespy, Susan J., Atlantic Beach	10/31/2016
Florida Commission on Community Service Appointee: Nappo, Frank L., Naples	09/14/2015
Board of Trustees, Edison State College Appointee: Chapman, Tristan G., LaBelle	05/31/2016
Board of Trustees, Pensacola State College Appointee: Hunt, Luke, Gulf Breeze	05/31/2015
Construction Industry Licensing Board Appointees: Layton, Mary, Seffner Watts, Jacqueline A., Tallahassee Young, Kristin Beall, Mount Dora	10/31/2015 10/31/2016 10/31/2016
Board of Dentistry Appointee: Cabanzon, Catherine, West Palm Beach	10/31/2016
Board of Hearing Aid Specialists Appointee: Polhill, Leanne E., Port Orange	10/31/2016
Juvenile Welfare Board of Pinellas County Appointees: Edmonds, Maria N., Tarpon Springs Neri, Raymond H., St. Petersburg	08/11/2016 08/07/2016
Board of Optometry Appointee: Underhill, Timothy E., Ft. Myers	10/31/2015
Board of Orthotists and Prosthetists Appointee: Nilssen, Erik C., Gulf Breeze	10/31/2013

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Pilot Commissioners Appointee: Smith, Thayer C., Jr., Tampa	10/31/2016
Board of Podiatric Medicine Appointee: Evans, Chester A., Winter Garden	10/31/2016
Board of Psychology Appointee: Aufderheide, Dean H., Tallahassee	10/31/2016
South Florida Regional Planning Council, Region 11 Appointee: Wallace, Paul R., Miami	10/01/2015

Referred to the Committee on Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Capital Collateral Regional Counsel - Middle Region Appointee: Jennings, John "Bill" W., Confidential pursuant to s. 119.071(4), F.S.	09/30/2015

Capital Collateral Regional Counsel - Southern Region Appointee: Dupree, Neal A., Davie	09/30/2015
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Referred to the Committees on Criminal Justice; and Ethics and Elections.

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, Florida International University Appointee: Alvarez, Cesar L., Miami	01/06/2018
Board of Trustees, New College of Florida Appointee: Skestos, George A., Longboat Key	01/06/2018
Board of Trustees, University of South Florida Appointee: Levy, Stanley I., Tampa	01/06/2018
Board of Trustees, University of West Florida Appointee: Lewis, Suzanne, Pensacola	01/06/2018

Referred to the Committees on Education; and Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 12 and March 18 were corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—SR 334; Altman—SR 334; Bean—SR 334; Benacquisto—SR 334; Bradley—SR 334; Brandes—SR 334; Braynon—SR 334; Bullard—SR 334; Clemens—SR 334; Dean—SR 334; Detert—SR 334; Diaz de la Portilla—SR 334; Flores—SR 334, CS for SB 846; Gaetz—SR 334; Galvano—SR 334; Garcia—SR 334, SB 422, CS for SB 560, CS for SB 716; Gardiner—SR 334; Gibson—SR 334; Grimsley—SR 334; Hays—SR 334; Hukill—SR 334; Joyner—SR 334; Latvala—SR 334; Legg—SR 334; Margolis—SR 334, SB 1718; Montford—SR 334; Negrón—SR 334; Richter—SR 334; Ring—SR 334; Sachs—SR 334; Simmons—SR 334; Simpson—SR 334; Smith—SR 334; Sobel—CS for SB 286, SR 334, CS for SB 630; Soto—SR 334; Stargel—SR 334; Thompson—SR 334; Thrasher—SR 334

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 11:42 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 4:00 p.m., Wednesday, March 27 or upon call of the President.



Journal of the Senate

Number 6—Regular Session

Monday, March 25, 2013

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REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: SB 1200

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

The Committee on Community Affairs recommends the following pass: CS for SB 1392

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

The Committee on Community Affairs recommends the following pass: SB 788

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

The Committee on Education recommends the following pass: SB 1630

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

The Committee on Community Affairs recommends the following pass: SB 1196

The bill was referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Health Policy recommends the following pass: SB 594; SB 924

The bills were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 282; SB 356; SB 566

The bills were referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Transportation recommends the following pass: SB 952

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

The Committee on Health Policy recommends the following pass: SB 876 with 1 amendment

The Committee on Transportation recommends the following pass: SB 634

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1074

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 464

The Committee on Community Affairs recommends the following pass: SB 1152

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 662

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

The Committee on Regulated Industries recommends the following pass: SB 1398

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

The Committee on Community Affairs recommends the following pass: CS for SB 1106

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 376; SB 832

The Committee on Transportation recommends the following pass: SB 712

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

The Committee on Appropriations recommends the following pass: SB 318; SB 326; SB 338; SB 342; CS for SB 364; SB 746

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 434

The Committee on Judiciary recommends the following pass: SB 558

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends the following pass: SM 1266

The Committee on Rules recommends the following pass: CS for SB 60; CS for CS for SB 166; SB 230; SB 452; CS for SB 530; SB 628; SB 954; CS for SB 1096

The bills were placed on the Calendar.

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 534; CS for SB 1382

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 748

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

The Committee on Education recommends committee substitutes for the following: SB 150; SB 980; SB 1108; SB 1664

The bills with committee substitute attached were referred to Appropriations Subcommittee on Education under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 866

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 556

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1598

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1416

The Committee on Regulated Industries recommends committee substitutes for the following: SB 852; SB 1686

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

The Committee on Health Policy recommends committee substitutes for the following: SB 1192; SB 1690

The bills with committee substitute attached were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 1132; SB 1352

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1188

The Committee on Transportation recommends a committee substitute for the following: SB 632

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 58

The Committee on Judiciary recommends a committee substitute for the following: SB 1468

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Regulated Industries recommends committee substitutes for the following: SB 720; SB 1344

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

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 768; SB 934

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 600

The Committee on Health Policy recommends a committee substitute for the following: SB 1160

The Committee on Transportation recommends a committee substitute for the following: SB 606

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 644

The Committee on Health Policy recommends committee substitutes for the following: SB 1420; SB 1448

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1718

The Committee on Health Policy recommends a committee substitute for the following: SB 1240

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

The Committee on Education recommends a committee substitute for the following: SB 1276

The Committee on Judiciary recommends a committee substitute for the following: SB 1496

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 468; SB 648

The bills with committee substitute attached were referred to the Committee on Health Policy under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1666

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 726

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1252

The Committee on Gaming recommends a committee substitute for the following: SB 1030

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

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 112

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 474; SB 1768

The Committee on Judiciary recommends a committee substitute for the following: SB 186

The Committee on Transportation recommends a committee substitute for the following: SB 274

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 972

The Committee on Education recommends a committee substitute for the following: SB 950

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 278; SB 294; SB 354; CS for SB 372; SB 406; SB 422

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 492

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 134

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 284

The Committee on Rules recommends committee substitutes for the following: CS for SB 120; CS for SB 718

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Finance and Tax recommends the following pass: CS for SB 522

Appropriations Subcommittee on General Government recommends the following pass: CS for SB 444; CS for SB 842

Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 938; CS for SB 1130

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 446

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

Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB 1720

Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for SB 448; CS for SB 1040; SB 1762; SB 1770

Appropriations Subcommittee on Health and Human Services recommends a committee substitute for the following: SB 1258

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governing Board:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Executive Director of Northwest Florida Water Management District	
Appointee: Steverson, Jonathan Paul	Pleasure of the Board
Executive Director of St. Johns River Water Management District	
Appointee: Tanzler, Hans G. III	Pleasure of the Board
Executive Director of Southwest Florida Water Management District	
Appointee: Guillory, Blake C.	Pleasure of the Board
Executive Director of Suwannee River Water Management District	
Appointee: Shortelle, Ann B.	Pleasure of the Board

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Fish and Wildlife Conservation Commission	
Appointee: Priddy, Aliese P.	01/06/2017
Governing Board of the Northwest Florida Water Management District	
Appointee: Costello, Jonathan M.	03/01/2016
Governing Board of the South Florida Water Management District	
Appointee: Portuondo, Juan M.	03/01/2015
Governing Board of the Southwest Florida Water Management District	
Appointee: Tharp, Douglas B.	03/01/2015

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Board of Administration:

Office and Appointment

Investment Advisory Council

	<i>For Term Ending</i>
Appointees: Cobb, Charles E.	12/12/2015
Daniels, Leslie B.	12/12/2014
Harrell, William H., Jr.	02/01/2016
Price, Michael F.	12/12/2014
Wendt, Gary C.	12/12/2015

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment

Secretary of Management Services

	<i>For Term Ending</i>
Appointee: Nichols, Craig J.	Pleasure of Governor

Secretary of State

Appointee: Detzner, Kenneth W.	Pleasure of Governor
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The appointments were referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Flores—

SB 36—A bill to be entitled An act for the relief of Maricelly Lopez by the City of North Miami; providing for an appropriation to compensate Maricelly Lopez, individually and as personal representative of the Estate of Omar Mieleles, for the wrongful death of her son, Omar Mieleles, which was due to the negligence of a police officer of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

Senate Bills 38-42—Previously referenced.

By Senator Sobel—

SB 44—A bill to be entitled An act for the relief of Ronald Miller by the City of Hollywood; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Hollywood; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Judiciary; Community Affairs; and Rules.

Senate Bills 46-1784—Previously published.

Senate Resolutions 1786-1790—Not referenced.

By the Committee on Judiciary—

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner's or provider's attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner's or provider's attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an ex parte interview with a claimant's treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct ex parte interviews with the claimant's health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committee on Rules.

SR 1794—Not referenced.

SB 1796—Not referenced.

SR 1798—Not referenced.

By the Committee on Governmental Oversight and Accountability—

SB 1800—A bill to be entitled An act relating to public records; amending s. 119.071, F.S., relating to a public records exemption for agency records concerning complaints of employment discrimination; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Governmental Oversight and Accountability—

SB 1802—A bill to be entitled An act relating to state employee health insurance; amending s. 110.123, F.S.; modifying the terms "full-time state employee" and "part-time state employee" for the purposes of expressly excluding persons paid from other-personal-services funds who work less than a certain number of hours per week from the state group insurance program; revising provisions relating to employer contributions to employee health savings accounts; requiring each agency or entity that participates in the program to provide information about its employees which is necessary to determine eligibility for the program; reenacting s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee's prescription drug program; repealing s. 53 of chapter 2012-119, Laws of Florida, relating to the reversion of certain state employee's prescription drug provisions to those in previous existence; amending s. 110.131, F.S.; providing that OPS employees working 30 hours or more per week may be eligible for the state group health insurance program; providing effective dates.

—was referred to the Committee on Appropriations.

SR 1804—Not referenced.

Senate Bills 1806-1808—Not referenced.

By the Committee on Governmental Oversight and Accountability—

SB 1810—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.363, 121.052, 121.055, and 121.071, F.S.; revising the employer contribution rates for the retiree health insurance subsidy; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of each membership class and subclass of the Florida Retirement System; providing findings of an important state interest; providing an effective date.

—was referred to the Committee on Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Governmental Oversight and Accountability; and Judiciary; and Senators Hays and Evers—

CS for CS for SB 58—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term “foreign law, legal code, or system”; clarifying that the public policies expressed in the act apply to violations of a natural person’s fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution in certain proceedings or actions brought after the act becomes a law; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in actions or proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person’s fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committees on Criminal Justice; and Judiciary; and Senator Dean—

CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud another, a document relating to the ownership, transfer, or encumbrance of or claim against real or personal property, or any interest in real or personal property, which the person knows contains a material misstatement or misrepresentations; providing criminal penalties; establishing reclassified penalties that increase criminal penalties for persons who commit the specified offenses a second or more times, who are convicted offenders who commit unlawful acts while incarcerated in a jail or participating in community correctional programs, and when the victim of the offense is a public officer or employee under certain circumstances; authorizing the court to issue injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the

custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation, under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term “public officer or employee”; providing criminal penalties for a person who impersonates a public official or employee or who, under color of law, intimidates certain specified officials; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing an effective date.

By the Committees on Rules; and Regulated Industries; and Senator Latvala—

CS for CS for SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Education; and Senator Ring—

CS for CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; providing an effective date.

By the Committee on Education; and Senators Altman, Garcia, and Bean—

CS for SB 150—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring that a student’s language and communication needs, including certain opportunities, be considered in the development of an individual education plan for a deaf or hard-of-hearing student; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model communication plan to each school district and provide technical assistance; providing an effective date.

By the Committee on Judiciary; and Senator Diaz de la Portilla—

CS for SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign

judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

By the Committee on Transportation; and Senators Dean, Evers, and Latvala—

CS for SB 274—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Richter and Grimsley—

CS for CS for SB 278—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Negron—

CS for SB 284—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; providing an effective date.

By the Committee on Appropriations; and Senator Bradley—

CS for SB 294—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; reenacting and amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; reenacting to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting s. 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Appropriations; and Senator Thrasher—

CS for SB 354—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Latvala—

CS for CS for SB 372—A bill to be entitled An act relating to vehicle permits for the transportation of alcoholic beverages; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor’s place of business in vehicles owned or leased by any person who has been disclosed on a license application filed by the

vendor and approved by the Division of Alcoholic Beverages and Tobacco of the Department and Business and Professional Regulation; revising permit requirements for such vehicles; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; amending s. 562.07, F.S.; revising an exception to the illegal transportation of beverages; providing an effective date.

By the Committee on Appropriations; and Senators Gardiner and Benacquisto—

CS for SB 406—A bill to be entitled An act relating to economic development; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 212.08, F.S.; revising definitions; clarifying the application of certain amendments; contingently amending s. 212.20, F.S.; requiring the Department of Revenue to distribute a specified amount of money to certain applicants if a spring training franchise uses the applicant's facility; specifying time periods and limitations on distributions; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and requiring the department to publish this description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on quali-

fied target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield re-development bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; contingently creating s. 288.11631, F.S.; providing definitions; establishing a certification process to retain spring training baseball franchises; authorizing and prohibiting certain uses of the awarded funds; requiring a certified applicant to submit an annual report and requiring the Department of Economic Opportunity to publish such information; providing for decertification of a certified applicant; requiring the department to adopt rules; authorizing the Auditor General to conduct audits; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing an effective date.

By the Committee on Appropriations; and Senators Benacquisto, Hays, Bradley, Simpson, Bullard, Soto, Gibson, Detert, Ring, Clemens, Negron, Evers, Margolis, Abruzzo, Stargel, Thompson, Flores, Sobel, Hukill, Altman, Smith, Diaz de la Portilla, Braynon, Garcia, and Monford—

CS for SB 422—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing a directive to the Division of Law Revision and Information; providing an effective date.

By the Committee on Banking and Insurance; and Senator Hukill—

CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates and forms; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation's approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Military and Veterans Affairs, Space, and Domestic Security—

CS for SB 474—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public records requirements for any identifying information of a donor or prospective donor to the direct-support organization of the Department of Veterans' Affairs, and an exemption from public meetings requirements for portions of meetings at which the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing superfluous language; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; providing an effective date.

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

CS for CS for SB 492—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; providing for retroactive application; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveator to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator's date of death or the last four digits of the testator's social security number upon deposit; providing that an original

will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

By the Committees on Community Affairs; and Governmental Oversight and Accountability; and Senators Brandes and Bradley—

CS for CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.63, F.S.; deleting the requirement that required actuarial reports for retirement plans include a disclosure of the present value of the plan's benefits; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Judiciary; and Senator Ring—

CS for CS for SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 101.151, F.S.; clarifying when the office title "Clerk of the Circuit Court and Comptroller" may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange, unless the property record card is available online from the property appraiser; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; providing an effective date.

By the Committee on Ethics and Elections; and Senator Latvala—

CS for SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name,

mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing a definition for the term “defect”; requiring any person who submitted a voting system to the department for approval or sold or leased any approved voting system to file a disclosure with the department; providing requirements for the disclosure; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter’s signature on the voter’s certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter’s certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector’s signature in a precinct register to compare with the elector’s signature on the voter’s certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor’s office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter’s certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county’s election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term “immediate family”; prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

By the Committee on Transportation; and Senators Gibson, Thrasher, Bradley, and Bean—

CS for SB 606—A bill to be entitled An act relating to the Northeast Florida Regional Transportation Commission; providing a directive to the Division of Law Revision and Information; creating s. 343.1001, F.S.; providing a short title; creating s. 343.1002, F.S.; providing definitions; creating s. 343.1003, F.S.; creating the Northeast Florida Regional Transportation Commission; providing for a nine-member commission board; providing for board appointment; providing for staffing; providing for member removal; providing liability protection for members; creating s. 343.1004, F.S.; providing commission powers and duties; prohibiting the commission from pledging the state’s credit; creating s. 343.1005, F.S.; providing for transportation projects of regional significance; specifying the characteristics for such projects; creating s. 343.1006, F.S.; requiring commission plans and planning activity to be coordinated with

other specified entities; creating s. 343.1008, F.S.; authorizing other governmental units and the commission to contract with each other; creating s. 343.1009, F.S.; exempting the commission from taxes or assessments; creating s. 343.1010, F.S.; specifying that the powers of the commission are supplemental to other laws; creating s. 343.1011, F.S.; providing for public meetings and hearings; creating s. 343.1012, F.S.; specifying that the commission is not an authority for purposes of specified provisions relating to a discretionary tax; creating s. 343.1013, F.S.; providing for repeal; amending s. 120.52, F.S.; conforming provisions; providing an effective date.

By the Committee on Transportation; and Senator Soto—

CS for SB 632—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of certain specialty license plates; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 644—A bill to be entitled An act relating to licensure by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; amending s. 560.143, F.S.; revising license application fees to include fingerprint retention fees as prescribed by rule; providing effective dates.

By the Committee on Banking and Insurance; and Senator Hukill—

CS for SB 648—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; authorizing a health insurer to immediately begin using long-term care insurance advertising material under certain circumstances; providing an effective date.

By the Committees on Rules; and Judiciary; and Senators Stargel, Grimsley, Richter, Thrasher, Soto, and Altman—

CS for CS for SB 718—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.075, F.S.; redefining the term “marital assets and liabilities” for purposes of equitable distribution in dissolution of marriage actions; providing that the term includes the paydown of principal of notes and mortgages secured by nonmarital real property and certain passive appreciation in such property under certain circumstances; providing formulas and guidelines for determining the amount of such passive appreciation; requiring security and interest relating to the installment payment of such assets; providing exceptions; permitting the court to provide written findings regarding any installment payments; amending s. 61.08, F.S.; defining terms; providing for the priority of bridge-the-gap alimony, followed by rehabilitative alimony, over any other form; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; providing for retirement of a party against whom alimony is

sought; providing for imputation of income to the obligor or obligee in certain circumstances; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.13, F.S.; establishing a presumption that it is in the best interest of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing prospective applicability of the presumption; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that an obligor's subsequent remarriage or cohabitation is not a basis for modification of alimony; providing that income and assets of obligor's subsequent spouse or person with whom the obligor is residing are generally not relevant to modification; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for temporary orders necessary to protect the parties and their children; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing an exception; providing allowable dates for the modification of such awards; providing an effective date.

By the Committee on Regulated Industries; and Senator Brandes—

CS for SB 720—A bill to be entitled An act relating to the deregulation of professions and occupations; amending s. 468.383, F.S.; exempting certain auctioneers who conduct motor vehicle auction contests from licensure; amending s. 468.385, F.S.; deleting licensure requirements for auctioneer apprentices; amending ss. 468.381, 468.384, 468.385, 468.388, and 468.391, F.S., to conform; amending s. 477.0132, F.S.; deleting provisions requiring the registration of persons whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping; providing that the Florida Cosmetology Act does not apply to such persons; amending ss. 477.019, 477.026, 477.0265, and 477.029, F.S., to conform; repealing part VIII of chapter 559, F.S., relating to the Sale of Business Opportunities Act and the regulation of certain business opportunities; amending ss. 205.1971, 501.604, and 721.11, F.S.; conforming a cross-reference; providing for a study and report to the Legislature by the Office of Program Policy Analysis and Government Accountability; providing an effective date.

By the Committees on Health Policy; and Community Affairs; and Senator Simmons—

CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring

family or medical leave benefits under certain conditions; providing an effective date.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senators Bean, Gibson, and Simpson—

CS for CS for SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; requiring the Agency for Health Care Administration to contract with a certain not-for-profit corporation to provide services under the federal Program of All-inclusive Care for the Elderly in Alachua and Clay counties; providing an exemption from ch. 641, Florida Statutes, for the corporation; authorizing, subject to appropriation, enrollment slots for the program in such counties; authorizing the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Hernando and Pasco counties; providing an exemption from ch. 641, F.S., for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Simpson—

CS for SB 768—A bill to be entitled An act relating to Everglades improvement and management; amending s. 373.4592, F.S.; revising legislative findings for achieving water quality goals; revising the definition of the term "Long-Term Plan"; revising provisions for use of certain ad valorem tax proceeds; directing the South Florida Water Management District to complete a specified analysis; revising provisions for collection of the agricultural privilege tax; providing for the use of such tax proceeds; providing that payment of the tax and certain costs fulfills certain constitutional obligations; providing appropriations; providing effective dates.

By the Committee on Regulated Industries; and Senator Bean—

CS for SB 852—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term "supervisory appraiser"; amending s. 475.612, F.S.; revising a provision specifying from whom a registered trainee appraiser may receive compensation; amending s. 475.615, F.S.; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

By the Committee on Banking and Insurance; and Senator Abruzzo—

CS for SB 866—A bill to be entitled An act relating to the certified audit program; amending s. 213.21, F.S.; revising the amounts of interest liability that the Department of Revenue may abate for taxpayers participating in the certified audit program; authorizing a taxpayer to participate in the certified audit program after the department has issued notice of intent to conduct an audit of the taxpayer; reducing the amount of interest that may be abated for a taxpayer requesting to participate in the program; amending s. 213.285, F.S.; conforming provisions; specifying the tax programs to be audited; revising procedures, deadlines, and notice requirements for certified audits; authorizing the

department to adopt rules prohibiting a qualified practitioner from representing a taxpayer in informal conference procedures under certain circumstances; amending s. 213.053, F.S.; conforming terminology; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Lee—

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.4131, F.S.; deleting an obsolete reference; requiring that rules for environmental resource permitting provide for conceptual permits and associated general permits for a municipality or county that creates a stormwater management master plan for urban infill and redevelopment areas or community redevelopment areas; specifying requirements for a conceptual permit; providing an effective date.

By the Committee on Education; and Senator Braynon—

CS for SB 950—A bill to be entitled An act relating to photographic enforcement on school buses; amending s. 316.003, F.S.; defining the term “school bus safety camera” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.008, F.S.; authorizing a school board to authorize use of school bus safety cameras to enforce specified provisions requiring a motor vehicle to stop behind a school bus stop signal; creating s. 316.0084, F.S.; creating the School Bus Safety Camera Program; providing for use of cameras installed on a school bus to provide evidence of a violation when a driver fails to stop behind the bus while the bus stop signal is displayed; requiring a school board to authorize use of such cameras by adopting a resolution; providing for the school board to enter into an agreement with a vendor for the installation, operation, notice processing, and administration and maintenance of the school bus safety camera program and with the county sheriff for operation and enforcement of the program; providing for a fine and the distribution of fines collected; providing procedures for enforcement and payment of fines; providing penalties for submission of a false affidavit establishing an exemption; providing for responsibility to pay the fine and specified fees; requiring the sheriff’s office to issue a traffic citation in certain circumstances; providing that the images or video identified in the traffic citation raises a rebuttable presumption of a violation; authorizing the sheriff’s office to issue a citation to the operator of a motor vehicle in certain circumstances; providing for the distribution of fines; authorizing the sheriff’s office to contract for certain administrative requirements; requiring such cameras to meet specifications adopted by rule of the Department of Education; requiring the department to adopt such rules by a certain date; providing for applicability; amending s. 316.650, F.S.; providing procedures for transmission of citation data to the court; amending s. 316.655, F.S.; providing an exception to certain penalties; amending ss. 318.14 and 318.19, F.S.; providing exceptions to certain traffic infraction disposition procedures; amending s. 318.15, F.S.; providing procedures that apply upon failure to comply with civil penalty for failing to stop behind a school bus displaying a stop signal or by passing a school bus before the stop signal has been withdrawn when such violations are enforced under specified provisions; amending s. 320.03, F.S.; restricting issuance of a license plate or validation sticker until outstanding fines and fees are paid; amending s. 322.27, F.S.; providing that the Department of Highway Safety and Motor Vehicles may not impose driver license points following a violation for passing a stopped school bus if such violation is enforced pursuant to the School Bus Safety Camera Program; providing that a violation enforced pursuant to the School Bus Safety Camera Program may not be used for purposes of setting motor vehicle insurance rates; providing an effective date.

By the Committee on Community Affairs; and Senator Hukill—

CS for SB 972—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met, and must provide the basis upon which landowners will be assessed a proportionate share of the cost of addressing certain transportation impacts; encouraging a local government that repeals transportation concurrency to adopt an alternative mobility funding system that is subject to certain require-

ments; amending s. 163.3182, F.S.; expanding the types of transportation projects that a transportation development authority may undertake or carry out; amending s. 190.006, F.S.; modifying the method for filling positions within the board of supervisors; providing an effective date.

By the Committee on Education; and Senator Flores—

CS for SB 980—A bill to be entitled An act relating to public school personnel; providing requirements for the performance evaluation of personnel for purposes of the performance salary schedule; providing an effective date.

By the Committee on Gaming; and Senators Thrasher and Bradley—

CS for SB 1030—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by drawing entrants; providing penalties; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; defining the term “department” as the Department of Agriculture and Consumer Services; revising definitions; prohibiting specified nonprofit organizations from operating a game promotion; providing conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by game promotion entrants; revising procedures for operation of a game promotion; providing for construction; providing that violations are deceptive and unfair trade practices; revising applicability provisions; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S.; providing definitions; revising and clarifying provisions relating to amusement games and machines; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

By the Committee on Education; and Senators Gardiner and Thrasher—

CS for SB 1108—A bill to be entitled An act relating to exceptional student education; amending s. 1002.20, F.S.; prohibiting certain actions with respect to parent meetings with school district personnel; providing requirements for meetings relating to exceptional student education and related services; amending s. 1002.33, F.S.; providing requirements for the reimbursement of federal funds to charter schools; amending s. 1002.41, F.S.; requiring a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; amending s. 1003.57, F.S.; requiring a school district to use specified terms to describe the instructional setting for certain exceptional students; defining the term “inclusion” for purposes of exceptional student instruction; providing for determination of eligibility as an exceptional student; requiring certain assessments to facilitate inclusive educational practices for exceptional students; requiring a district school board to provide parents with information regarding the funding the school district receives for exceptional student education; requiring the school district to provide the information at the initial meeting of a student’s individual education plan team; creating s. 1003.5715, F.S.; requiring the use of parental consent forms for specified actions in a student’s individual education plan; providing requirements for the consent forms; providing requirements for changes in a student’s individual education plan; requiring the State Board of Education to adopt rules; creating s. 1003.572, F.S.; defining the term “private instructional personnel”; encouraging the collaboration of public and private instruc-

tional personnel and providing requirements therefor; amending s. 1003.58, F.S.; conforming a cross-reference; creating s. 1008.3415, F.S.; requiring an exceptional student education center to choose to receive a school grade or school improvement rating; excluding student assessment data from the calculation of a home school's grade under certain circumstances; requiring the State Board of Education to adopt rules; amending s. 1012.585, F.S.; providing requirements for renewal of a professional certificate relating to teaching students with disabilities; authorizing the State Board of Education to adopt rules; providing an effective date.

By the Committee on Community Affairs; and Senator Brandes—

CS for SB 1132—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; requiring the Transportation Commission to also monitor ch. 345, F.S., relating to the Florida Regional Tollway Authority; deleting provisions relating to the Florida Statewide Passenger Rail Commission; amending s. 110.205, F.S.; changing to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; creating s. 163.3176, F.S.; providing legislative intent; requiring that a local government ensure that noise compatible land-use planning is used in its jurisdiction; providing guidelines; providing for the sharing of related costs of construction if a local government does not comply with the noise mitigation requirements; requiring that local governments consult with the Department of Transportation and the Department of Economic Opportunity in the formulation of noise mitigation requirements; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; amending s. 206.9825, F.S.; revising the criteria that certain air carriers must meet to qualify for an exemption to the aviation fuel tax; providing remedies for failure by an air carrier to meet the standards; authorizing terminal suppliers and wholesalers to receive a credit, or apply, for a refund of aviation fuel tax previously paid; conforming terminology; authorizing the Department of Revenue to adopt rules; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; terminating the Local Alternative Fuel User Fee Clearing Trust Fund within the Department of Revenue; prescribing procedures for the termination of the trust fund; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas fuel under certain circumstances; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; providing criteria for the Spaceport Investment Program; providing for funding; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14,

F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 337.408, F.S.; providing that persons who install a transit shelter or bus bench on certain right-of-ways are responsible for ensuring that the bench or transit shelter complies with applicable laws and rules; providing for the disposition of a bench or transit shelter that is not in compliance with applicable laws or rules; requiring owners of a bench or transit shelter to provide the department with a written inventory of locations; requiring the owner of a bench or transit shelter to maintain a liability insurance policy naming the department as an additional insured; specifying requirements for the policy; providing criteria for notice of modification, cancellation, or nonrenewal of an insurance policy; providing exceptions; requiring each county or municipality to remit certain revenue to the department; amending s. 338.161, F.S.; authorizing the department to enter into agreements with owners of public or private transportation facilities rather than entities that use the department's electronic toll collection and video billing systems to collect certain charges; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term “intercity bus service”; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 341.302, F.S.; authorizing the Department of Transportation to undertake ancillary development for appropriate revenue sources to be used for state-owned rail corridors; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Tollway Authority; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; authorizing counties to form a regional tollway authority that can construct, maintain, or operate transportation projects in a region of the state; providing for governance of the authority; creating s. 345.0004, F.S.; providing for the powers and duties of a regional tollway authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing the authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must contain certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing for the rights and remedies granted to certain bondholders; providing the actions a trustee may take on behalf of the bondholders; providing for the

appointment of a receiver; providing for the authority of the receiver; providing limitations to the receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide for or commit its resources for an authority project or system, if approved by the Legislature; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing calculations for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between governmental entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; relieving the authority from the obligation of paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; creating s. 345.0015, F.S.; creating the Northwest Florida Regional Tollway Authority; creating s. 345.0016, F.S.; creating the Okaloosa-Bay Regional Tollway Authority; creating s. 345.0017, F.S.; creating the Suncoast Regional Tollway Authority; providing for the transfer of the governance and control of the Mid-Bay Bridge Authority System to the Okaloosa-Bay Regional Tollway Authority; providing for the disposition of bonds, the protection of the bondholders, the effect on the rights and obligations under a contract or the bonds, and the revenues associated with the bonds; providing an effective date.

By the Committee on Health Policy; and Senator Bullard—

CS for SB 1160—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; extending the expiration date of building permits and permits issued by the Department of Environmental Protection or by a water management district; providing that the extension of the expiration date does not prohibit conversion from the construction phase to the operation phase upon completion of construction; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; requiring onsite sewage treatment and disposal systems to comply with department rules and provide a certain level of treatment; providing that certain onsite sewage treatment and disposal systems installed after a specified date are not required to connect to a sewer until a specified date; authorizing the department to approve and permit a property owner of an owner-occupied, single-family residence as a maintenance entity for the property owner's own aerobic treatment unit system under certain circumstances; requiring the maintenance entity service agreement to conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from certain contractor registration requirements; prohibiting a septic tank contractor from being denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities; providing that component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer's specifications; requiring the maintenance entity to maintain documentation for a specified period of time and to provide the documentation to the department upon request; requiring an owner of an aerobic treatment unit system to allow the department to annually inspect each aerobic treatment unit system; providing an effective date.

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

CS for SB 1188—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; providing a definition for "water authority"; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water

authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1192—A bill to be entitled An act relating to the provision of health care with controlled substances; creating ss. 400.996 and 408.833, F.S.; providing that regulation of the licensure, activity, and operation of clinics and health care facilities is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, clinics and health care facilities, except for ordinances regarding local business taxes and land development; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 458.326, F.S.; requiring a physician to consult the prescription drug monitoring program database or designate an agent to consult the database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; amending ss. 458.3265 and 459.0137, F.S.; requiring that owners of pain-management clinics be licensed physicians; removing language regarding nonphysician-owned pain-management clinics; providing that regulation of the licensure and activity of certain physicians and osteopathic physicians is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, physicians and osteopathic physicians, except for ordinances regarding local business taxes and land development; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the board to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that regulation of the licensure, activity, and operation of pharmacies and pharmacists is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies and pharmacists, except for ordinances regarding local business taxes and land development; amending s. 893.055, F.S.; deleting an obsolete provision; authorizing the prescription drug monitoring program to be funded by state funds and pharmaceutical company donations; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

By the Committee on Health Policy; and Senators Richter and Bean—

CS for SB 1240—A bill to be entitled An act relating to children who are deaf or hard of hearing; providing legislative findings; requiring health care providers to provide an opportunity for a child's parent or legal guardian to provide contact information so that he or she may receive information from specified service providers when the hearing loss is identified; requiring the Department of Health to register certain service providers and institutions; allowing a parent or legal guardian to request services from a participating service provider; providing that the level of services received is based on the child's individualized education program or individual and family service plan; providing for eligibility; providing a funding formula; requiring the department to develop

standards for participating service providers; authorizing the department to adopt rules; providing an effective date.

By the Committee on Community Affairs; and Senator Simpson—

CS for SB 1252—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising a definition; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; amending s. 553.992, F.S.; requiring the department to administer statewide criteria for building energy-efficiency rating systems; requiring department rules to prohibit a sole provider from conducting functions relating to the building energy-efficiency rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating system; revising language; requiring the interest group to advise the department in the adoption and administration of the system; deleting a provision that requires the interest group to assist in the implementation of the system by performing certain acts; requiring the department to approve, rather than develop, a training and certification program to certify raters; providing an effective date.

By the Committee on Education; and Senator Montford—

CS for SB 1276—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for certain portions of meetings of a university direct-support organization or of the executive committee or other committees of the board of directors of such organization; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Regulated Industries; and Senator Latvala—

CS for SB 1344—A bill to be entitled An act relating to malt beverages; amending s. 563.06, F.S.; authorizing an additional size for individual containers of malt beverages sold or offered for sale by vendors at retail; providing an effective date.

By the Committee on Community Affairs; and Senator Ring—

CS for SB 1352—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform statewide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; amending s. 200.069, F.S.; authorizing the property appraiser to notify taxpayers of proposed property taxes by postcard or e-mail in lieu of first-class mail; providing notice language; authorizing the property appraiser to prepare and make available on the appraiser's website the notice of proposed property taxes; providing additional notice requirements; providing an effective date.

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

CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "election" to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates and political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; provid-

ing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Evers—

CS for SB 1416—A bill to be entitled An act relating to rehabilitation projects for petroleum contamination sites; amending s. 376.30711, F.S.; deleting provisions requiring the Department of Environmental Protection to preapprove costs or use performance-based contracts for site rehabilitation projects; providing an effective date.

By the Committee on Health Policy; and Senator Sobel—

CS for SB 1420—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert’s competency evaluation report; providing an effective date.

By the Committee on Health Policy; and Senator Smith—

CS for SB 1448—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule III controlled substances certain specified materials, compounds, mixtures, or preparations that promote muscle growth or otherwise enhance athletic performance; adding human chorionic gonadotropin to the list of Schedule III controlled substances; reenacting s. 893.12(1)-(6), F.S., relating to prohibited acts involving controlled substances, to incorporate the amendments made to s. 893.03, F.S., in references thereto; reenacting s. 921.0022(3)(b)-(e), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Judiciary; and Senator Lee—

CS for SB 1468—A bill to be entitled An act relating to the appointment of an attorney for a dependent child with disabilities; creating s. 39.01305, F.S.; defining terms; providing legislative findings and intent; requiring an attorney to be appointed in writing; requiring that the appointment continues in effect until the attorney is permitted to

withdraw or is discharged by the court or until the case is terminated; requiring that the attorney be adequately compensated for his or her service; providing a limitation; providing for a conditional implementation; providing an effective date.

By the Committee on Judiciary; and Senator Thrasher—

CS for SB 1496—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for a complaint and other information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying duration of the exemption; specifying conditions under which an investigation is considered completed; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Soto—

CS for SB 1598—A bill to be entitled An act relating to corporate income tax; creating s. 220.197, F.S.; providing a short title; establishing a corporate income tax credit for the hiring of veterans; providing eligibility requirements; establishing an additional corporate income tax credit for the hiring of disabled veterans; providing eligibility requirements; authorizing the Department of Revenue to adopt rules; authorizing the Department of Revenue to determine guidelines for qualification of the tax credit; providing for expiration of the tax credit; amending s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include the hiring of veterans; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include certain tax credits taken relating to the hiring of veterans; providing an effective date.

By the Committee on Education; and Senator Legg—

CS for SB 1664—A bill to be entitled An act relating to education instructional personnel and school administrators; amending s. 1004.04, F.S.; revising legislative intent; revising the requirements of State Board of Education rule for uniform core curricula for state-approved teacher preparation programs; revising the process for initial approval of state-approved teacher preparation programs; revising the requirements for continued approval of state-approved teacher preparation programs; requiring the State Board of Education to adopt rules for continued approval of teacher preparation programs; requiring the Commissioner of Education to determine the continued approval of each program; providing requirements for a report that certain public and private institutions prepare regarding their teacher preparation programs; requiring the Department of Education to report to the Governor, the Legislature, the State Board of Education, the Board of Governors, the Commissioner of Education, each Florida postsecondary teacher preparation program, each district school superintendent, and the public the results of each approved program’s annual progress and the current approval status of each program; revising the requirements for pre-service field experience; amending s. 1004.85, F.S.; revising the definition of the term “educator preparation institute”; authorizing a qualified private provider to seek approval to offer a competency-based certification program; revising the criteria for approval of preparation programs; requiring the department to approve a certification program under certain circumstances; revising the requirements for program participants; revising the criteria for continued approval of programs; revising the requirements for personnel that participate in field experiences; amending s. 1012.32, F.S.; conforming cross-references and conforming provisions to changes made by the act; amending s. 1012.55, F.S.; requiring the State Board of Education to adopt rules that allow an individual who meets specified criteria to be eligible for a temporary certificate in education leadership; amending s. 1012.56, F.S.; authorizing the State Board of Education to adopt rules that allow for the acceptance of college course credits recommended by the American Council for Education; authorizing a school district to provide a professional development certification program; specifying the components of the program; revising requirements for demonstrating mastery of professional education competence; requiring the Commissioner of Education to determine the continued approval of the programs; requiring the Depart-

ment of Education to provide a review procedure for an applicant who fails a certification examination; requiring the applicant to bear the actual cost in order for the department to provide an examination review; amending s. 1012.585, F.S.; conforming a cross-reference; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing that the calculation of funds for each teacher includes local contributions; requiring that a teacher's proportionate share of funds be provided by any means determined appropriate, including a debit card; providing requirements for the debit card; authorizing the Department of Education and the district school boards to enter into public-private partnerships; deleting provisions relating to a pilot program established for the 2009-2010 fiscal year; amending s. 1012.98, F.S.; authorizing rather than requiring each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans; providing an effective date.

By the Committee on Banking and Insurance; and Senator Latvala—

CS for SB 1666—A bill to be entitled An act relating to mortgage foreclosures; amending s. 45.031, F.S.; providing that the second publication of the notice of sale may be published on a publicly accessible website of the clerk of the court in lieu of publication in any other form of media; revising the contents of the notice of sale; amending s. 50.011, F.S.; providing that certain legal notice requirements do not apply to an electronic publication of a notice of sale on a publicly accessible Internet website; creating s. 50.015, F.S.; requiring that a publicly accessible Internet website must be approved for legal publication, advertisement, and notice by the Florida Clerks of Court Operations Corporation; describing conditions and requirements for a publicly accessible Internet website; requiring 24-hour customer support; requiring that legal publication, advertisement, or notice of foreclosure action be posted within 3 business days, excluding court holidays, after the date for the foreclosure sale is set; authorizing a clerk of court to contract with a publicly accessible Internet website provider for legal publication of notice of foreclosure action; providing for maximum publication fees; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to existing causes of action; providing that the amendments made by this act to s. 95.11, F.S., apply to any action commenced on or after July 1, 2013; amending s. 121.021, F.S.; defining terms; providing for the applicability of the term "termination"; amending s. 121.091, F.S.; providing that between two specified dates, a retired justice or retired judge is not subject to certain limitations otherwise applicable to retired employees; amending s. 121.591, F.S.; providing that, between two specified dates, a retired justice or retired judge who returns to temporary employment as a senior judge in any court may continue to receive a distribution of his or her retirement account after providing proof of termination from his or her regularly established position; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for non-applicability to proceedings involving timeshare interests; amending s. 702.035, F.S.; providing for the applicability of electronic publication if such publication effects advertisement, publication, or legal notice regarding a foreclosure proceeding; providing that only the costs charged by the host of the Internet website may be charged as costs in the action; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a re-

striction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing for construction and applicability; declaring that the act is remedial in nature and applies to all mortgages encumbering real property and all promissory notes secured by a mortgage, whether executed before, on, or after the effective date of this act; requiring that employer contribution rates be adjusted; providing a directive to the Division of Law Revision and Information; providing legislative findings; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing that certain specified provisions of the act take effect only if the Legislature appropriates a certain amount on a recurring basis to the judicial system and if the Governor does not veto the appropriation; providing that certain sections of the act stand repealed on a stated date; providing an effective date.

By the Committee on Regulated Industries; and Senator Altman—

CS for SB 1686—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur mixed martial arts matches; amending s. 548.007, F.S.; revising nonapplicability of ch. 548, F.S.; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 1690—A bill to be entitled An act relating to volunteer health services; amending s. 766.1115, F.S.; revising requirements for patient referral under the "Access to Health Care Act"; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that any rule adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; providing an effective date.

By the Committee on Community Affairs; and Senators Flores, Bullard, Margolis, and Diaz de la Portilla—

CS for SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be deposited and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and procedures relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of a college receiving surtax

proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Transportation—

CS for SB 1768—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public records requirements for personal identifying information of an applicant or recipient of paratransit services; making clarifying changes; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 546—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute's reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; providing for certain administrative costs of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

By the Committee on Health Policy; and Senators Garcia and Flores—

CS for SB 896—A bill to be entitled An act relating to prepaid dental plans; amending s. 409.912, F.S.; postponing the scheduled repeal of a provision requiring the Agency for Health Care Administration to contract with dental plans for dental services on a prepaid or fixed-sum basis; authorizing the agency to provide a prepaid dental health program in Miami-Dade County on a permanent basis; requiring an annual report to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules.

By the Committee on Gaming; and Senators Thrasher and Bradley—

CS for SB 1030—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by drawing entrants; providing penalties; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; defining the term “department” as the Department of Agriculture and Consumer Services; revising definitions; prohibiting specified nonprofit organizations from operating a game promotion; providing conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by game promotion entrants; revising procedures for operation of a game promotion; providing for construction; providing

that violations are deceptive and unfair trade practices; revising applicability provisions; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S.; providing definitions; revising and clarifying provisions relating to amusement games and machines; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—was referred to the Committee on Rules.

By the Committee on Criminal Justice; and Senator Bean—

CS for SB 1406—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising provisions to be included in the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information for program and program activities to the Legislature and the public; deleting legislative intent language; requiring implementation of an accountability system to ensure client needs are met; requiring the department and the Department of Education to submit an annual report that includes data on program costs and effectiveness and student achievement and recommendations for elimination or modification of programs; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing; requiring the Department of Education to assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system that assesses and evaluates all juvenile justice education programs; revising requirements of district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; correcting a cross-reference; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; deleting a requirement for an annual report; requiring data collection; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Education; and Rules.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 9, CS for HB 171, CS for HB 215, CS for HB 7003, HB 7059; has passed as amended HB 15, CS for CS for HB 55, CS for HB 77 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Campbell, Rehwinkel Vasilinda, Edwards, Rogers—

HB 9—A bill to be entitled An act relating to involuntary examinations under the Baker Act; amending s. 394.463, F.S.; authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Judiciary.

By Health Quality Subcommittee and Representative(s) Rooney, Baxley, McBurney, Renuart, Roberson, K.—

CS for HB 171—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s.

497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Policy; Judiciary; and Appropriations.

By Healthy Families Subcommittee and Representative(s) Albritton, Berman, Cruz, Cummings, Fasano, Harrell, Hooper, Nuñez, O'Toole, Pafford, Peters, Rader, Rodrigues, R., Rooney, Spano—

CS for HB 215—A bill to be entitled An act relating to dependent children; providing a short title; creating s. 39.4091, F.S.; providing legislative findings and intent; providing definitions; providing for participation in age-appropriate extracurricular, enrichment, and social activities by children in out-of-home care; providing for use of a reasonable and prudent parent standard for decisionmaking about such activities; providing rulemaking authority; amending s. 39.522, F.S.; clarifying the standard for reunification and for changing custody; amending s. 409.1451, F.S.; providing for use of reasonable and prudent parent standard in certain decisionmaking; requiring submission of plan for judicial review; providing a definition; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Renuart, Campbell, Fasano—

CS for HB 7003—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing for payment of annual dues for the compact; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Education; and Appropriations.

By Economic Affairs Committee and Representative(s) Davis—

HB 7059—A bill to be entitled An act relating to driver licensing; amending s. 322.04, F.S.; revising provisions for exemption from obtaining a driver license issued by this state; removing a requirement that certain nonresidents possess an International Driving Permit; providing that a nonresident of a certain age possessing a valid non-commercial driver license issued outside this state may operate a non-commercial motor vehicle in this state; providing for retroactive application; providing an effective date.

—was referred to the Committee on Community Affairs.

By Representative(s) Rooney, Eagle, Albritton, Castor Dentel, Coley, Edwards, Harrell, McBurney, O'Toole, Pafford, Passidomo, Pigman, Pilon, Steube, Stewart—

HB 15—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Military and Veterans Affairs, Space, and Domestic Security; and Criminal Justice.

By Judiciary Committee, Business & Professional Regulation Subcommittee and Representative(s) Gaetz, Patronis—

CS for CS for HB 55—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Judiciary.

By Judiciary Committee and Representative(s) Porter—

CS for HB 77—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security de-

posits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

—was referred to the Committees on Judiciary; Regulated Industries; and Rules.

CO-INTRODUCERS

Senators Bradley—CS for SB 150; Bullard—SB 1250; Diaz de la Portilla—CS for SB 560, CS for SB 716, SB 1718; Flores—CS for SB 124, SB 392, SB 702, SB 704; Garcia—SB 392; Grimsley—CS for SB 278, CS for SB 292; Latvala—SB 274; Margolis—SB 1322; Montford—SB 422; Richter—CS for CS for SB 658; Ring—CS for SB 1108; Sachs—CS for SB 716; Simpson—CS for SB 748; Sobel—CS for SB 164



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gaetz at 4:00 p.m. A quorum present—37:

Mr. President	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Excused: Senators Bullard and Diaz de la Portilla

PRAYER

The following prayer was offered by Dr. William D. Shiel, Pastor, First Baptist Church, Tallahassee:

Almighty God, we acknowledge your presence with us, knowing it is only by your good creation that we can gather here with the freedoms and responsibilities that have been entrusted to us. We give you thanks for those who have willingly given their lives, resources, and time, so that we might carry out our responsibilities as citizens.

For each person who walks these hallowed halls as aides, public servants, interns, and Senators, we thank you for the commitment they have made to our great state, the sacrifices personally and professionally that they have offered, and the calling that we all share to serve the common good. We ask for your protection and safety as you watch over the families and loved ones that remain home so they can be here today.

We come to you this day asking your blessing and wisdom. We admit that we don't always agree and that conflict and disagreement often bring about the best solutions. You are the source of all truth and life and the one who gives guidance and direction. We ask that these deliberations be civil, conversations edifying, and the decisions wise. Help us to keep in mind the highest calling of all, that after loving you, we may love

our neighbors as we love ourselves, so that, with one mind and one voice, we may continue the work you have given us to do. Amen.

PLEDGE

Senator Richter 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. Lonnie Draper of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Draper specializes in Emergency Medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Garcia—

By Senator Garcia—

SR 1778—A resolution recognizing March 2013 as “Aaron Cohen Bike Safety Awareness Month” in Florida.

WHEREAS, the Centers for Disease Control and Prevention estimates that 4 percent of all motor vehicle crashes in Florida involve bicycles, with the total annual cost of bicyclist injury and death estimated at more than \$4 billion, and

WHEREAS, in 2011, more than 4,600 cyclists were seriously injured in traffic crashes on Florida roads and highways, with 120 cyclists killed, a 58 percent increase from 2010, and

WHEREAS, the 10 counties in Florida with the highest number of bicycle fatalities between 2006 and 2011 are Alachua, Broward, Duval, Hillsborough, Lee, Miami-Dade, Orange, Palm Beach, Pasco, and Pinellas, and Florida continues to rank among the top states in the nation for injury and fatality among bicyclists and pedestrians hit by cars, and

WHEREAS, on February 15, 2012, Aaron Cohen, a 36-year-old experienced cyclist and avid runner, was struck and killed in a hit-and-run accident on the Rickenbacker Causeway, which leads to Key Biscayne in Miami-Dade County, and

WHEREAS, Aaron Cohen is remembered by all who knew him as a loving husband to his wife, Patricia, and father to his two children, Lily and Aiden, and as a kind and compassionate friend to so many, NOW, THEREFORE,

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

That we recognize March 2013 as “Aaron Cohen Bike Safety Awareness Month” in Florida.

—**SR 1778** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for SB 138—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing an appropriation; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 138**, on motion by Senator Brandes, by two-thirds vote **CS for HB 7003** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Education; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for HB 7003—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing for payment of annual dues for the compact; providing an effective date.

—a companion measure, was substituted for **CS for SB 138** and read the second time by title.

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

Yeas—36

Mr. President	Garcia	Negron
Altman	Gardiner	Richter
Bean	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Clemens	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto

CS for CS for SB 160—A bill to be entitled An act relating to licensure fee exemptions for military veterans; amending s. 456.013, F.S.; requiring that the Department of Health waive certain licensure fees for veterans; requiring the department to prescribe the format of the fee waivers; limiting the time period a veteran can apply to 24 months after honorable discharge; amending s. 468.304, F.S.; requiring that the department waive the initial application fee for veterans who apply for a radiological personnel certification; requiring the department to prescribe the form of the fee waiver; limiting the time period a veteran can apply to 24 months after honorable discharge; excluding a specific fee from the waiver; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 160** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Evers	Legg	Soto

Stargel Thompson Thrasher

Nays—None

Vote after roll call:

Yea—Abruzzo, Lee

CS for SB 118—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 118**, on motion by Senator Benacquisto, by two-thirds vote **HB 15** was withdrawn from the Committees on Regulated Industries; Military and Veterans Affairs, Space, and Domestic Security; and Criminal Justice.

On motion by Senator Benacquisto, by two-thirds vote—

HB 15—A bill to be entitled An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 118** and read the second time by title.

On motion by Senator Benacquisto, by two-thirds vote **HB 15** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

CS for SB 286—A bill to be entitled An act relating to design professionals; amending s. 558.002, F.S.; redefining the term “design professional”; creating s. 558.0035, F.S.; specifying conditions under which a design professional employed by a business entity or an agent of the business entity may not be held individually liable for damages resulting from negligence occurring within the course and scope of a professional services contract; defining the term “business entity”; amending ss. 471.023, 472.021, 481.219, 481.319, and 492.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

Senator Soto moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (972536)—Delete lines 43 and 44 and insert: *liability insurance required under the contract;*

(e) *The contract includes a prominent statement, in uppercase font that is at least five point sizes larger than the rest of the text, disclosing whether the business entity currently maintains professional liability*

insurance and, if applicable, identifying the aggregate limit as well as the coverage limit per claim, per occurrence, or per project; and

(f) Any damages are solely economic in nature and the

On motion by Senator Negron, **CS for SB 286** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Evers	Montford	
Flores	Negron	

Nays—1

Joyner

SB 1766—A bill to be entitled An act relating to driver licenses; amending s. 322.04, F.S.; revising requirements relating to exemptions from licensure requirements for nonresidents; deleting a requirement that residents of foreign countries hold an International Driving Permit to be exempt; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1766**, on motion by Senator Brandes, by two-thirds vote **HB 7059** was withdrawn from the Committee on Community Affairs.

On motion by Senator Brandes, by two-thirds vote—

HB 7059—A bill to be entitled An act relating to driver licensing; amending s. 322.04, F.S.; revising provisions for exemption from obtaining a driver license issued by this state; removing a requirement that certain nonresidents possess an International Driving Permit; providing that a nonresident of a certain age possessing a valid non-commercial driver license issued outside this state may operate a non-commercial motor vehicle in this state; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **SB 1766** and read the second time by title.

On motions by Senator Brandes, by two-thirds vote **HB 7059** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

CS for SB 164—A bill to be entitled An act relating to children in foster care; creating the “Quality-Parenting for Children in Foster Care Act”; creating s. 39.409, F.S.; providing legislative findings and intent; providing definitions; establishing and providing for the application of a “reasonable and prudent parent” standard; directing the Department of Children and Families to adopt rules; amending s. 39.522, F.S.; specifying that the standard for reunification from “endangerment” to “the best interest of the child” in certain circumstances; amending s. 409.1451, F.S.; providing for the application of the reasonable and prudent parent standard to independent living transition services; specifying that department rules must reflect the considerations of the reasonable and prudent parent standard; directing the department to adopt rules; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 164**, on motion by Senator Detert, by two-thirds vote **CS for HB 215** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Judiciary.

On motion by Senator Detert, by two-thirds vote—

CS for HB 215—A bill to be entitled An act relating to dependent children; providing a short title; creating s. 39.4091, F.S.; providing legislative findings and intent; providing definitions; providing for participation in age-appropriate extracurricular, enrichment, and social activities by children in out-of-home care; providing for use of a reasonable and prudent parent standard for decisionmaking about such activities; providing rulemaking authority; amending s. 39.522, F.S.; clarifying the standard for reunification and for changing custody; amending s. 409.1451, F.S.; providing for use of reasonable and prudent parent standard in certain decisionmaking; requiring submission of plan for judicial review; providing a definition; providing rulemaking authority; providing an effective date.

—a companion measure, was substituted for **CS for SB 164** and read the second time by title.

On motion by Senator Detert, by two-thirds vote **CS for HB 215** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

CS for SB 224—A bill to be entitled An act relating to the Florida Small Business Development Center Network; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network’s statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assess-

ments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 224** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Margolis	Thrasher
Evers	Montford	
Flores	Negron	

Nays—None

Vote after roll call:

Yea—Legg

CS for CS for SB 62—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; requiring an affidavit; requiring the Department of Highway Safety and Motor Vehicles to issue a decal; providing specifications for the decal; providing for a fee; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 62** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Joyner
Abruzzo	Evers	Latvala
Altman	Flores	Lee
Bean	Galvano	Legg
Benacquisto	Garcia	Margolis
Bradley	Gardiner	Montford
Brandes	Gibson	Negron
Braynon	Grimsley	Richter
Clemens	Hays	Ring
Dean	Hukill	Sachs

Simmons	Sobel	Thompson
Simpson	Soto	Thrasher
Smith	Stargel	

Nays—None

Consideration of **SB 352** and **CS for SB 322** was deferred.

SB 520—A bill to be entitled An act relating to emergency medical services; amending s. 381.0034, F.S.; deleting a requirement that emergency medical technicians, paramedics, and 911 public safety telecommunicators complete an educational course on HIV and AIDS; amending s. 401.23, F.S.; redefining the terms “basic life support” and “advanced life support” for purposes of the Raymond H. Alexander, M.D., Emergency Medical Transportation Services Act; amending s. 401.24, F.S.; revising the period for review of the comprehensive state plan for emergency medical services and programs; amending s. 401.27, F.S.; revising requirements for the certification and recertification of emergency medical technicians and paramedics; revising requirements for the certification of emergency medical technicians and paramedics trained outside the state; revising the time limit by which applicants trained outside the state must complete the certification examination without having to submit a new application and meet all eligibility and fee requirements; amending s. 401.2701, F.S.; revising requirements for institutions that conduct approved programs for the education of emergency medical technicians and paramedics; revising requirements that students must meet in order to receive a certificate of completion from an approved program; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **SB 520** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

SB 1764—A bill to be entitled An act relating to transparency in government spending; amending s. 215.985, F.S.; adding a definition; requiring the Executive Office of the Governor to establish a single website providing access to other websites; revising provisions relating to the establishment of a website relating to the approved operating budget; requiring the office to establish a website providing information about fiscal planning for the state and specifying the information to be included on the website; requiring the Department of Management Services to maintain a website that provides current information on state employees and officers; revising provisions requiring the Legislative Auditing Committee to provide recommendations to the Legislature about adding other information to a website; requiring website managers to provide information about the cost of creating and maintaining each website; revising provisions relating to access to the state contract management system to require that such information be accessible through a website; requiring state agencies to post certain information on the system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; providing procedures for removing such information from the system; authorizing the Chief Financial Officer to make certain information available on a website for viewing and

downloading by the public and providing guidelines for regulation of such website; providing applicability of public record requests for information posted on the website; authorizing the Chief Financial Officer to adopt rules; creating the User Experience Task Force to develop and recommend a design for consolidating existing state-managed websites; providing for membership; providing for staffing; requiring reports; providing for expiration; providing for an appropriation; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (519426) (with title amendment)—Delete line 394 and insert:

(f) *The requirement under paragraphs (a) and (b) that each agency post information and documentation relating to contracts on the tracking system does not apply to any record that could reveal attorney work product or strategy.*

(g) *The Chief Financial Officer may adopt rules to*

And the title is amended as follows:

Delete line 33 and insert: information posted on the website; providing an exemption; authorizing the

On motion by Senator Ring, **SB 1764** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Nays—None

Vote after roll call:

Yea—Abruzzo

SPECIAL ORDER CALENDAR

On motion by Senator Latvala—

CS for CS for SB 328—A bill to be entitled An act relating to public accountability; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountability to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (931752) (with title amendment)—Between lines 78 and 79 insert:

Section 4. Subsection (3) of section 473.313, Florida Statutes, is amended to read:

473.313 Inactive status.—

(3) A license that ~~is has become~~ delinquent for failure to report completion of the requirements in s. 473.312 may be reactivated under s. 473.311 upon application to the department. Reactivation requires the payment of an application fee as determined by the board and certification by the Florida certified public accountant that the applicant satisfactorily completed the continuing education requirements set forth under s. 473.311. If the license is delinquent on ~~January 1~~ ~~December 31~~ because of failure to report completed continuing education requirements, the applicant must submit a complete application to the board by March 15 immediately after the delinquent period.

And the title is amended as follows:

Delete line 14 and insert: review program by a certain date; amending s. 473.313, F.S.; revising license delinquency dates; providing an

Pursuant to Rule 4.19, **CS for CS for SB 328** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

SB 244—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 244** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 278—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular

pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 278** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

SB 558—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 558** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 298** was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising “Notice to Defendant” provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiff’s or the garnishee’s attorney; extending the time allowed for the plaintiff or the plaintiff’s attorney to respond to the defendant’s claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff’s attorney when the plaintiff’s attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the

plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 592** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 318** was deferred.

CS for SB 1096—A bill to be entitled An act relating to the repeal of education provisions; amending s. 403.7032, F.S.; removing a requirement that each K-12 public school annually report to the county on recycled materials; repealing s. 1001.26(3), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1001.435, F.S., relating to a K-12 foreign language curriculum plan; repealing s. 1002.23(4), (6), and (9), F.S., relating to a parent-response center, submission of family involvement and empowerment rules by district school boards, and State Board of Education compliance review and enforcement under the Family and School Partnership for Student Achievement Act; repealing s. 1002.32(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1002.361, F.S., relating to a direct-support organization for the Florida School for the Deaf and the Blind; repealing s. 1002.375, F.S., relating to a pilot project to award alternative credit for high school courses; repealing s. 1003.4285(1), F.S., relating to a standard high school diploma designation that indicates a student’s major area of interest; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; repealing s. 1003.433(5), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1003.453(2), F.S., relating to information on school wellness and physical education policies posted on Department of Education and school district websites; repealing s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program; repealing s. 1004.05, F.S., relating to substance abuse training programs for specified public school personnel; amending s. 1004.435, F.S.; removing duplicative, redundant, or unused rulemaking authority; amending s. 1004.45, F.S.; removing unnecessary rulemaking authority; repealing s. 1004.62, F.S., relating to incentives for state university student internships to study urban or socially and economically disadvantaged areas; repealing s. 1004.77, F.S., relating to centers of technology innovation; repealing s. 1006.02, F.S., relating to provision of information to students and parents regarding school-to-work transition; repealing s. 1006.035, F.S., relating to a dropout reentry and mentor project; repealing s. 1006.051, F.S., relating to the Sunshine Workforce Solutions Grant Program; repealing s. 1006.09(1)(d), F.S., relating to duties of school principals with respect to annual reporting and analysis of student suspensions and expulsions; repealing ss. 1006.17 and 1006.70, F.S., relating to sponsorship of athletic activities similar to those for which scholarships are offered; repealing s. 1006.65, F.S., relating to safety issues in courses offered by public postsecondary educational institutions; repealing s. 1007.21, F.S., relating to readiness for postsecondary education and the workplace; repealing s. 1007.35(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1008.31(3)(d) and (e), F.S., relating to review and reporting duties of the Commissioner of Education with respect to consolidating paperwork under Florida’s K-20 education performance accountability system; repealing s. 1009.68, F.S., relating to the Florida Minority Medical Education Program; amending s. 1009.85, F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1012.58, F.S., relating to the Transition to Teaching Program; repealing s. 1012.71(6), F.S., relating to a pilot program for establishing an electronic management system for the Florida Teachers Lead Program; repealing s. 1013.231, F.S., relating to Florida College System institution and state university energy consumption reduction; repealing s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys; repealing ss. 1013.42 and 1013.72, F.S., relating to the School Infrastructure Thrift (SIT) Program; repealing ss. 1013.502 and 1013.721, F.S., relating to A Business-Community (ABC) School Program; repealing s. 1013.64(7), F.S., relating to exceptions from Special Facility Construction Account requirements; repealing s. 1013.73, F.S., relating to effort index grants for school district facilities; amending ss. 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34, 1002.45, 1003.03, 1003.429, 1003.438, 1003.49, 1004.70, 1004.71, 1006.025, 1006.15, 1007.263, 1007.271, 1008.22, 1008.23, 1009.40, 1009.531,

1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738, F.S.; conforming provisions; providing effective dates.

—was read the second time by title. On motions by Senator Montford, by two-thirds vote **CS for SB 1096** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

On motion by Senator Joyner—

SB 628—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 628** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 492—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; providing for retroactive application; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveator to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator's date of death or the last four digits of the testator's social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 492** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

SB 230—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 230** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

SB 954—A bill to be entitled An act relating to the Technological Research and Development Authority; amending s. 320.08058, F.S.; deleting provisions for distribution by the Department of Highway Safety and Motor Vehicles to the authority of Challenger/Columbia license plate user fees; conforming provisions; amending s. 379.2202, F.S.; deleting provisions for distribution by the Fish and Wildlife Conservation Commission to the authority of saltwater license and permit fees; amending s. 112.3148, F.S., relating to giving gifts to certain officers or candidates for office and to procurement employees; deleting reference to the authority; providing contingent effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 954** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 166** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium

or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 120** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

SB 452—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public records requirements for personal identifying information of a donor held in the Joshua Abbott Organ and Tissue Registry; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 452** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 60—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 60** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

CS for SB 530—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the “Florida Arbitration Code” to the “Revised Florida Arbitration Code”; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s.

682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term “court” and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; pro-

viding that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the revised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 731.401, F.S.; providing for application of the act to an arbitration provision in a will or trust; amending ss. 440.1926 and 489.1402, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 530** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Ring moved the following amendment which was adopted:

Amendment 1 (830600) (with title amendment)—Delete lines 17-54 and insert:

(a) The district school board shall hold not less than one regular meeting each month for the transaction of business according to a schedule arranged by the district school board. *The district school board shall convene at least one regular meeting each quarter within a school year during the evening hours. The district school board shall create written criteria for deciding when to convene a quarterly meeting during the evening hours. A district school board is deemed to be in compliance with this paragraph if it maintains, and operates in accordance with, a policy that requires the portion of a regular meeting which is open to public comment to begin no earlier than 4:30 p.m.*

(b) ~~The district school board and shall convene in a special meeting sessions when called by the district school superintendent or by the district school superintendent on request of the chair of the district school board, or on request of a majority of the members of the district school board. An action, provided that actions taken at a special meeting has meetings shall have the same force and effect as if taken at a regular meeting, and, and provided further that in the event the district school superintendent should fail to call a special meeting when requested to do so, as prescribed herein, such a meeting may be called by the chair of the district school board or by a majority of the members of the district school board by giving 2 days' written notice of the time and purpose of the meeting to all members and to the district school superintendent, in which event the minutes of the meeting must shall set forth the facts regarding the procedure in calling the meeting and the reason the meeting was called. The minutes must therefor and shall be signed either by the chair or by a majority of the members of the district school board.~~

And the title is amended as follows:

Delete line 9 and insert: circumstances; deleting a provision regarding a special meeting; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 134** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

CS for SB 284—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for

notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 284** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 294—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; reenacting and amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; reenacting to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting s. 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 294** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 326—A bill to be entitled An act relating to the powers and duties of the Department of Environmental Protection; amending s. 253.7827, F.S.; removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing s. 253.783(2), F.S., relating to additional powers and duties of the department to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 326** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

SB 338—A bill to be entitled An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 338** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 342** was deferred.

On motion by Senator Thrasher—

CS for SB 354—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 354** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 364—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 364** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for SB 372—A bill to be entitled An act relating to vehicle permits for the transportation of alcoholic beverages; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business in vehicles owned or leased by any person who has been disclosed on a license application filed by the vendor and approved by the Division of Alcoholic Beverages and Tobacco of the Department and Business and Professional Regulation; revising permit requirements for such vehicles; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; amending s. 562.07, F.S.; revising an exception to the illegal transportation of beverages; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 372** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 422—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally ad-

ministered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Benacquisto and Bean offered the following amendment which was moved by Senator Benacquisto and adopted:

Amendment 1 (448130) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Cancer Treatment Fairness Act.”*

Section 2. Section 627.42391, Florida Statutes, is created to read:

627.42391 Cancer treatment parity; orally administered cancer treatment medications.—

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

(a) *“Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.*

(b) *“Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.*

(2) *Beginning January 1, 2014, an individual or group insurance policy, including a policy issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the policy.*

(3) *An insurer that provides a policy described in subsection (2), and any participating entity through which the insurer offers health services, may not:*

(a) *Vary the terms of a policy in effect on July 1, 2013, in order to avoid compliance with this section.*

(b) *Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.*

(c) *Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.*

(d) *Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.*

(e) *Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.*

Section 3. Section 641.313, Florida Statutes, is created to read:

641.313 Cancer treatment parity; orally administered cancer treatment medications.—

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

(a) “Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.

(b) “Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.

(2) Beginning January 1, 2014, a health maintenance contract, including a contract issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the contract.

(3) A health maintenance organization that provides a contract described in subsection (2), and any participating entity through which the health maintenance organization offers health services, may not:

(a) Vary the terms of a contract in effect on July 1, 2013, in order to avoid compliance with this section.

(b) Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.

(c) Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.

(d) Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.

(e) Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.

Section 4. Subsection (2) of section 627.6515, Florida Statutes, is amended to read:

627.6515 Out-of-state groups.—

(2) Except as otherwise provided in this part, this part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:

(a) The policy is issued to an employee group the composition of which is substantially as described in s. 627.653; a labor union group or association group the composition of which is substantially as described in s. 627.654; an additional group the composition of which is substantially as described in s. 627.656; a group insured under a blanket health policy when the composition of the group is substantially in compliance with s. 627.659; a group insured under a franchise health policy when the composition of the group is substantially in compliance with s. 627.663; an association group to cover persons associated in any other common group, which common group is formed primarily for purposes other than providing insurance; a group that is established primarily for the purpose of providing group insurance, provided the benefits are reasonable in relation to the premiums charged thereunder and the issuance of the group policy has resulted, or will result, in economies of administration; or a group of insurance agents of an insurer, which insurer is the policyholder;

(b) Certificates evidencing coverage under the policy are issued to residents of this state and contain in contrasting color and not less than 10-point type the following statement: “The benefits of the policy providing your coverage are governed primarily by the law of a state other than Florida”; and

(c) The policy provides the benefits specified in ss. 627.419, 627.42391, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911, and complies with the requirements of s. 627.66996.

(d) Applications for certificates of coverage offered to residents of this state must contain, in contrasting color and not less than 12-point type, the following statement on the same page as the applicant’s signature:

“This policy is primarily governed by the laws of insert state where the master policy is filed. As a result, all of the rating laws applicable to policies filed in this state do not apply to this coverage, which may result in increases in your premium at renewal that would not be permissible under a Florida-approved policy. Any purchase of individual health insurance should be considered carefully, as future medical conditions may make it impossible to qualify for another individual health policy. For information concerning individual health coverage under a Florida-approved policy, consult your agent or the Florida Department of Financial Services.”

This paragraph applies only to group certificates providing health insurance coverage which require individualized underwriting to determine coverage eligibility for an individual or premium rates to be charged to an individual except for the following:

1. Policies issued to provide coverage to groups of persons all of whom are in the same or functionally related licensed professions, and providing coverage only to such licensed professionals, their employees, or their dependents;

2. Policies providing coverage to small employers as defined by s. 627.6699. Such policies shall be subject to, and governed by, the provisions of s. 627.6699;

3. Policies issued to a bona fide association, as defined by s. 627.6571(5), provided that there is a person or board acting as a fiduciary for the benefit of the members, and such association is not owned, controlled by, or otherwise associated with the insurance company; or

4. Any accidental death, accidental death and dismemberment, accident-only, vision-only, dental-only, hospital indemnity-only, hospital accident-only, cancer, specified disease, Medicare supplement, products that supplement Medicare, long-term care, or disability income insurance, or similar supplemental plans provided under a separate policy, certificate, or contract of insurance, which cannot duplicate coverage under an underlying health plan, coinsurance, or deductibles or coverage issued as a supplement to workers’ compensation or similar insurance, or automobile medical-payment insurance.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013, and applies to policies and contracts issued or renewed on or after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 422** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

CS for SB 434—A bill to be entitled An act relating to Brevard Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as “Eastern Florida State College”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 434** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

SB 746—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 746** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

SB 342—A bill to be entitled An act relating to the rental of homestead property; amending s. 196.061, F.S.; revising criteria under which rental of such property is allowed for tax exemption purposes and not considered abandoned; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 342** was placed on the calendar of Bills on Third Reading.

SM 1266—A memorial to the President and the Congress of the United States, urging them to award the Congressional Gold Medal to the United States 65th Infantry Regiment, the Borinqueneers.

WHEREAS, the United States 65th Infantry Regiment, the Borinqueneers, traces its lineage to the “Puerto Rican Regiment U.S. Vo-

lunteers,” which was authorized by Congress on March 2, 1899, as a mounted battalion consisting of four companies, and

WHEREAS, after Puerto Rico patriotically requested that the selective service draft law be extended to Puerto Rico as the United States entered the conflict in World War I, the Borinqueneers rallied a force of nearly 2,000, defending the Panama Canal, firing on the German supply ship Odenwald from El Morro Castle in Puerto Rico, and fighting valiantly on a number of fronts for liberty, and

WHEREAS, during World War II, the Borinqueneers gallantly served in North Africa and Europe, winning the Naples-Foggian, Rome-Arno, Central Europe, and Rhineland battle campaign awards, and, after the war, were assigned dangerous security, anti-sabotage, and other occupation missions around Kaiserslautern and Mannheim, Germany, making them one of the last units to return home at war’s end, and

WHEREAS, during the Korean War, some 61,000 Puerto Rican soldiers served with the United States Army, 6,000 of them with the Borinqueneers, which, again, covered themselves in glory, distinguishing themselves over a 3-year period with nine Korean battle campaign awards, the Presidential and Meritorious Unit commendations, two Korean Presidential Unit citations, the Greek Gold Medal, the , and many other awards for bravery, and launching the last regimental bayonet assault in United States Army history, and

WHEREAS, the Borinqueneers were awarded nine battle campaign awards for bravery between 1950 and 1953 and, in World War I, World War II, and the Korean War, combined, were awarded ten Distinguished Service Crosses, 258 Silver Stars, 628 Bronze Stars, more than 2,700 Purple Hearts, and many other individual awards, and

WHEREAS, legendary United States Army General Douglas MacArthur lauded the gallantry of the Borinqueneers, crediting them with a resolute will to victory and invincible loyalty to the United States, saying, “They write a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them!,” and

WHEREAS, in 1959, the Borinqueneers passed their colors to the National Guard of the United States Territory of Puerto Rico, the only time in United States Army History that active unit colors were not retired, but, instead, turned over to a National Guard unit, and

WHEREAS, today, the legacy of the Borinqueneers lives on in the National Guard in Puerto Rico, which continues to bravely defend the United States in the ongoing War on Terrorism, and

WHEREAS, many of those who returned to civilian life after serving with the Borinqueneers have gone on to serve in leadership positions as respected businessmen, corporate executives, religious leaders, lawyers, doctors, educators, bankers, and political leaders, and

WHEREAS, the Borinqueneers selflessly served and sacrificed, shedding blood for our democracy and helping to ensure our prosperity as they, themselves, faced segregation, discrimination, and unequal American citizenship, always loyally protecting our nation and nobly fighting for the good of all, and

WHEREAS, these brave warriors, the Borinqueneers, deserve a place with all American heroes, and should be honored, commended, and never forgotten for their epic feats, and

WHEREAS, the Congressional Gold Medal, along with the Presidential Medal of Freedom, is the highest civilian award in the , awarded to persons who have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient’s field long after the achievement, NOW, THEREFORE,

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

That, in recognition of the bravery and sacrifice of the United States 65th Infantry Regiment, the Borinqueneers, we urge the President and the Congress of the United States to award the Congressional Gold Medal to these true heroes and defenders of our great nation.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the

United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, to the Puerto Rico Resident Commissioner, to the President of the United States 65th Infantry Regiment Association, the chairman of the Hispanic Achievers Grant Council, and the chairman of the Borinqueneer Congressional Gold Medal Alliance.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment which was adopted:

Amendment 1 (123664)—Delete lines 7-90 and insert:

WHEREAS, the Borinqueneers trace their lineage to the “Puerto Rico Regiment of Volunteer Infantry,” authorized by Congress on March 2, 1899, as the first body of native troops in Puerto Rico, the only Hispanic-segregated unit in the United States Armed Forces that played a prominent role in American military history, and

WHEREAS, during World War I, the Borinqueneers rallied a force of over 1,500 to defend the Panama Canal, and upon their return to Puerto Rico were renamed “The 65th Infantry Regiment,” and

WHEREAS, during World War II, the Borinqueneers served in North Africa and Europe, winning Naples-Foggia, Rome-Arno, Central Europe, and Rhineland battle campaign awards; and were assigned security, anti-sabotage, and other occupation missions around Kaiserslautern and Mannheim, Germany after the war, and

WHEREAS, during the Korean War, the Borinqueneers were the only all-Hispanic unit; joined the United States 3rd Infantry Division to be among the first infantry to engage in battle with North Korean troops; served with distinction to earn 4 Distinguished Service Crosses, 124 Silver Stars, 9 Korean battle campaign awards, the Presidential and Meritorious Unit Commendations, 2 Korean Presidential Unit Citations, and the Greek Gold Medal for Bravery; and are credited with launching the last recorded battalion-sized bayonet assault in United States Army history, and

WHEREAS, legendary United States Army General Douglas MacArthur lauded the Borinqueneers, crediting them with a resolute will to victory and loyalty to the United States, saying, “They are writing a brilliant record of heroism in battle and I am indeed proud to have them under my command. I wish that we could count on many more like them,” and

WHEREAS, in 1959, the Borinqueneers passed their colors to the National Guard of the United States Territory of Puerto Rico, withdrawing from the Regular Army, the only time in United States Army history that active unit colors were not retired, but, instead, turned over to a National Guard unit, and

WHEREAS, today, the legacy of the Borinqueneers lives on in the National Guard in Puerto Rico, which continues to defend the United States in the ongoing War on Terrorism, and

WHEREAS, the Borinqueneers served and sacrificed, shedding blood for our democracy and helping to ensure our prosperity as they faced segregation and discrimination, protecting our nation and fighting for the good of all, and

WHEREAS, these warriors, the Borinqueneers, deserve a place with all American heroes, and should be honored, commended, and never forgotten for their feats, and

WHEREAS, the Congressional Gold Medal is the highest civilian award given by the United States Congress, awarded as an expression of public gratitude on behalf of the nation for distinguished contributions, NOW, THEREFORE,

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

That, in recognition of the bravery and sacrifice of the United States 65th Infantry Regiment, the Borinqueneers, the President and the Congress of the United States are urged to award the Congressional Gold Medal to these true heroes and defenders of our great nation.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, to the Puerto Rico Resident Commissioner, to the President of the United States 65th Infantry Regiment Association, the chairman of the Hispanic Achievers Grant Council, the chairman of the Borinqueneers Congressional Gold Medal Alliance, and the National Association for Uniformed Services.

On motion by Senator Soto, **SM 1266** as amended was adopted, ordered engrossed and then certified to the House.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SM 1266**.

The vote was:

Yeas—37

Mr. President	Garcia	Richter
Abruzzo	Gardiner	Ring
Altman	Gibson	Sachs
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Smith
Brandes	Joyner	Sobel
Braynon	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Evers	Montford	
Galvano	Negron	

Nays—None

On motion by Senator Hays—

CS for SB 56—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medicolegal investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (526840)—Delete line 105 and insert: Training Commission, shall ~~develop and~~ adopt *and modify when necessary*, by rule,

Pursuant to Rule 4.19, **CS for SB 56** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 718—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring that alimony pendente lite be

calculated in accordance with s. 61.08, F.S.; amending s. 61.075, F.S.; redefining the term “marital assets and liabilities” for purposes of equitable distribution in dissolution of marriage actions; providing that the term includes the paydown of principal of notes and mortgages secured by nonmarital real property and certain passive appreciation in such property under certain circumstances; providing formulas and guidelines for determining the amount of such passive appreciation; requiring security and interest relating to the installment payment of such assets; providing exceptions; permitting the court to provide written findings regarding any installment payments; amending s. 61.08, F.S.; defining terms; providing for the priority of bridge-the-gap alimony, followed by rehabilitative alimony, over any other form; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; providing for retirement of a party against whom alimony is sought; providing for imputation of income to the obligor or obligee in certain circumstances; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.13, F.S.; establishing a presumption that it is in the best interest of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing prospective applicability of the presumption; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor’s income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that an obligor’s subsequent remarriage or cohabitation is not a basis for modification of alimony; providing that income and assets of obligor’s subsequent spouse or person with whom the obligor is residing are generally not relevant to modification; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor’s retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for temporary orders necessary to protect the parties and their children; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing an exception; providing allowable dates for the modification of such awards; providing an effective date.

—was read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (203644)—Delete lines 345-372 and insert:

(8)(a) *There is a rebuttable presumption against awarding alimony for a short-term marriage. A party seeking bridge-the-gap or rehabilitative alimony may overcome this presumption by demonstrating by a preponderance of the evidence a need for alimony. A party seeking durational alimony may overcome this presumption by demonstrating by clear and convincing evidence a need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony which may not exceed 20 percent of the obligor’s gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with*

paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.

(b) *There is no presumption in favor of either party to an award of alimony for a mid-term marriage. A party seeking such alimony must prove by a preponderance of the evidence a need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly alimony obligation that may not exceed 30 percent of the obligor’s gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

(c) *There is a rebuttable presumption in favor of awarding alimony for a long-term marriage. A party against whom alimony is sought may overcome this presumption by demonstrating by clear and convincing evidence that there is no need for alimony. If the court finds that the party against whom alimony is sought fails to meet its burden to demonstrate that there is no need for alimony and that the party has the ability to pay alimony, the court shall determine a monthly alimony obligation that may not exceed 33 percent of the obligor’s gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Joyner moved the following amendments which were adopted:

Amendment 2 (845072)—Delete lines 190-193 and insert:

(c) *“Mid-term marriage” means a marriage having a duration of more than 10 years but less than 20 years, as measured from the date of marriage to the date of filing the petition for dissolution.*

Amendment 3 (687286)—Delete lines 707-712 and insert: *the filing of the petition. In an action under this section, if it is determined that the obligee or obligor unnecessarily or unreasonably litigated the underlying petition for modification or termination, the court may award the other party his or her reasonable attorney fees and costs pursuant to s. 61.16 and applicable case law.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Joyner moved the following amendment which failed:

Amendment 4 (758408)—Delete line 213 and insert: *the recipient to achieve rehabilitation or to provide support for a spouse who is mentally or physically unable to be rehabilitated.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment which was adopted:

Amendment 5 (213372) (with title amendment)—Between lines 755 and 756 insert:

Section 8. Paragraphs (a) and (b) of subsection (11) of section 61.30, Florida Statutes, are amended to read:

61.30 Child support guidelines; retroactive child support.—

(11)(a) The court may adjust the total minimum child support award, or either or both parents’ share of the total minimum child support award, based upon the following deviation factors:

1. Extraordinary medical, psychological, educational, or dental expenses.
2. Independent income of the child, not to include moneys received by a child from supplemental security income.
3. The payment of support for a parent which has been regularly paid and for which there is a demonstrated need.

4. Seasonal variations in one or both parents' incomes or expenses.

5. The age of the child, taking into account the greater needs of older children.

6. Special needs, such as costs that may be associated with the disability of a child, that have traditionally been met within the family budget even though fulfilling those needs will cause the support to exceed the presumptive amount established by the guidelines.

7. Total available assets of the obligee, obligor, and the child.

8. The impact of the Internal Revenue Service Child & Dependent Care Tax Credit, Earned Income Tax Credit, and dependency exemption and waiver of that exemption. The court may order a parent to execute a waiver of the Internal Revenue Service dependency exemption if the paying parent is current in support payments.

9. An application of the child support guidelines schedule that requires a person to pay another person more than 55 percent of his or her gross income for a child support obligation for current support resulting from a single support order.

10. The particular parenting plan, *court-ordered time-sharing schedule, or particular time-sharing schedule exercised by agreement of the parties*, such as where the child spends a significant amount of time, but less than 20 percent of the overnights, with one parent, thereby reducing the financial expenditures incurred by the other parent; or the refusal of a parent to become involved in the activities of the child.

11. Any other adjustment that is needed to achieve an equitable result which may include, but not be limited to, a reasonable and necessary existing expense or debt. Such expense or debt may include, but is not limited to, a reasonable and necessary expense or debt that the parties jointly incurred during the marriage.

(b) Whenever a particular parenting plan, *court-ordered time-sharing schedule, or particular time-sharing schedule exercised by agreement of the parties* provides that each child spend a substantial amount of time with each parent, the court shall adjust any award of child support, as follows:

1. In accordance with subsections (9) and (10), calculate the amount of support obligation apportioned to each parent without including day care and health insurance costs in the calculation and multiply the amount by 1.5.

2. Calculate the percentage of overnight stays the child spends with each parent.

3. Multiply each parent's support obligation as calculated in subparagraph 1. by the percentage of the other parent's overnight stays with the child as calculated in subparagraph 2.

4. The difference between the amounts calculated in subparagraph 3. shall be the monetary transfer necessary between the parents for the care of the child, subject to an adjustment for day care and health insurance expenses.

5. Pursuant to subsections (7) and (8), calculate the net amounts owed by each parent for the expenses incurred for day care and health insurance coverage for the child.

6. Adjust the support obligation owed by each parent pursuant to subparagraph 4. by crediting or debiting the amount calculated in subparagraph 5. This amount represents the child support which must be exchanged between the parents.

7. The court may deviate from the child support amount calculated pursuant to subparagraph 6. based upon the deviation factors in paragraph (a), as well as the obligee parent's low income and ability to maintain the basic necessities of the home for the child, the likelihood that either parent will actually exercise the time-sharing schedule set forth in the parenting plan granted by the court, and whether all of the children are exercising the same time-sharing schedule.

8. For purposes of adjusting any award of child support under this paragraph, "substantial amount of time" means that a parent exercises time-sharing at least 20 percent of the overnights of the year.

And the title is amended as follows:

Delete line 80 and insert: children; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; providing for retroactive application of the

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Joyner moved the following amendment:

Amendment 6 (768170)—Delete line 262 and insert: *the marriage unless it is proven by clear and convincing evidence that the income available to either party and the assets relied upon during the marriage assets are not sufficient to provide support for both parties, then the court may consider assets that were not relied upon during the marriage.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Joyner moved the following amendment to **Amendment 6** which failed:

Amendment 6A (161066)—Delete line 5 and insert: *the marriage unless it is proven by a preponderance of the*

The question recurred on **Amendment 6** which was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Joyner moved the following amendments which were adopted:

Amendment 7 (279768)—Delete lines 196-199 and insert:

(e) "*Short term marriage*" means a marriage having a duration equal to or less than 10 years, as measured from the date of the marriage to the date of filing the petition for dissolution.

Amendment 8 (349320)—Delete lines 635-637 and insert: *permanently increased ability to pay alimony. An increase in an obligor's income may not*

Pursuant to Rule 4.19, **CS for CS for SB 718** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Evelyn Lynn who was present in the chamber.

Consideration of **CS for CS for SB 878** was deferred.

MOTIONS

On motion by Senator Negron, portions of Senate Rule 7.1 were waived and the following deadlines and policies were applied to **SB 1500** and **SB 1502** on the Special Order Calendar to be considered on Wednesday, April 10, 2013:

- The deadline for filing main amendments to the general appropriations and implementing bills is 1:30 p.m., Monday, April 8, 2013.
- The deadline for filing amendments to amendments and substitute amendments for amendments to the general appropriations and implementing bills is 1:30 p.m., Tuesday, April 9, 2013.
- The amendment deadline for all other bills, including the conforming bills for the budget, on the Special Order Calendar for Wednesday, April 10, 2013, will be governed by Rule 7.1, as usual.

On motion by Senator Thrasher, by two-thirds vote **CS for SB 1096** and **HB 7059** were ordered immediately certified to the House.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, March 27, 2013: CS for CS for SB 328, SB 244, CS for CS for SB 278, SB 558, CS for SB 298, CS for SB 592, SB 318, CS for SB 1096, SB 628, CS for CS for SB 492, SB 230, SB 954, CS for CS for SB 166, CS for CS for SB 120, SB 452, CS for SB 60, CS for SB 530, CS for CS for SB 134, CS for SB 284, CS for SB 294, SB 326, SB 338, SB 342, CS for SB 354, CS for SB 364, CS for CS for SB 372, CS for SB 422, CS for SB 434, SB 746, SM 1266, CS for SB 56, CS for CS for SB 718, CS for CS for SB 878.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Transportation recommends a committee substitute for the following: SB 1342

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 682

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

The Committee on Transportation recommends a committee substitute for the following: SB 1104

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 504; CS for CS for SB 676; SB 788; SB 1330; SB 1464

Appropriations Subcommittee on Education recommends the following pass: CS for SB 1108

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 94

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Environmental Preservation and Conservation—

SB 1806—A bill to be entitled An act relating to total maximum daily loads; amending s. 403.067, F.S.; exempting total maximum daily load rules from legislative ratification; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

By the Committee on Environmental Preservation and Conservation—

SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement ss. 403.088 and 403.067, F.S., to control nutrient load in state waters; authorizing the department to implement its adopted nutrient standards; directing the department to remove rule 62-302.531(9), Florida Administrative Code, when the United States Environmental Protection Agency withdraws all federal numeric nutrient criteria rules in the state; subjecting any numeric nutrient rules for estuaries adopted in 2013 to the provisions of rule 62-302.531(9), Florida Administrative Code, and exempting them from ratification under s. 120.541(3), F.S.; directing the department to establish estuary specific numeric interpretations of the narrative nutrient criterion for total nitrogen, total phosphorus, and chlorophyll a for any estuary not already subject to department numeric nutrient criteria; directing the department to send a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate by August 1, 2013, concerning the status of establishing numeric nutrient criteria in the state; providing an effective date.

—was referred to the Committee on Community Affairs.

SB 1810—Previously referenced.

Senate Resolutions 1812-1814—Not referenced.

By the Committee on Appropriations—

SB 1816—A bill to be entitled An act relating to health care; amending s. 409.811, F.S.; revising and providing definitions; amending s. 409.813, F.S.; revising the components of the Florida Kidcare program; prohibiting a cause of action from arising against the Florida Healthy Kids Corporation for failure to make health services available; amending s. 409.8132, F.S.; revising the eligibility of the Medikids program component; revising the enrollment requirements of the Medikids program component; amending s. 409.8134, F.S.; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility requirements for the Florida Kidcare program; amending s. 409.815, F.S.; revising the minimum health benefits coverage under the Florida Kidcare Act; deleting obsolete provisions; amending ss. 409.816 and 409.8177, F.S.; conforming provisions to changes made by the act; repealing s. 409.817, F.S., relating to the approval of health benefits coverage and financial assistance; repealing s. 409.8175, F.S., relating to delivery of services in rural counties; amending s. 409.818, F.S.; revising the duties of the Department of Children and Families and the Agency for Health Care Administration with regard to the Florida Kidcare Act; deleting the duties of the Department of Health and the Office of Insurance Regulation with regard to the Florida Kidcare Act; amending s. 409.820, F.S.; requiring the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, to develop a minimum set of pediatric and adolescent quality assurance and access standards for all program components; amending s. 624.91, F.S.; revising the legislative intent of the Florida Healthy Kids Corporation Act to include the Healthy Florida program; revising participation guidelines for nonsubsidized enrollees in the Healthy Kids program; revising the medical loss ratio requirements for the contracts for the Florida Healthy Kids Corporation; modifying the membership of the Florida Healthy Kids Corporation's board of directors; creating an executive steering committee; requiring additional corporate compliance requirements for the Florida Healthy Kids Corporation; repealing s. 624.915, F.S., relating to the operating fund of the Florida Healthy Kids Corporation; creating s. 624.917, F.S.; creating the Healthy Florida program; providing definitions; providing eligibility and enrollment requirements; authorizing the Florida Healthy Kids Corporation to contract with certain insurers; requiring the corporation to establish a benefits package and a process for payment of services; authorizing the corporation to collect premiums and copayments; requiring the corporation to oversee the Healthy Florida program and to establish a grievance process and integrity process; providing applicability of certain state laws for administration of the Healthy Florida program; requiring the corporation to collect certain data and to submit enrollment reports and interim independent evaluations to the Legislature; providing for expiration of

the program; providing an implementation and interpretation clause; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senator Simpson—

CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

By the Committee on Transportation; and Senator Brandes—

CS for SB 1104—A bill to be entitled An act relating to the environment; amending s. 334.044, F.S.; providing an exclusion from provisions that require all plant materials for highway landscaping be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis if prohibited by federal law or regulation; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; providing an effective date.

By the Committee on Transportation; and Senator Abruzzo—

CS for SB 1342—A bill to be entitled An act relating to traffic control; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; revising notification of violation requirements; providing that initiating a proceeding to challenge the delivery or attempted delivery of the notice of violation or a citation waives any challenge or dispute as to delivery; revising provisions for issuance of a citation; revising provisions for enforcement when a person other than the owner is designated as having care, custody, or control of the motor vehicle at the time of the violation; providing that specified provisions for notice of violation apply to such designated person; providing circumstances under which a reviewing traffic en-

forcement officer may issue a notice of violation or traffic citation for a red light violation; providing procedures for presentation and authentication of evidence and affirmative defenses relating to a traffic infraction detector or similar unattended device; requiring counties and municipalities with traffic infraction detectors to install certain signs by a specified date; amending s. 316.075, F.S.; requiring traffic control signals to maintain certain signal intervals and display durations based on posted speeds; providing that a citation for specified violations shall be dismissed if the traffic control signal does not meet specified requirements; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Transportation; and Senator Soto—

CS for SB 632—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of certain specialty license plates; providing an effective date.

—was referred to the Committees on Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senators Bean, Gibson, and Simpson—

CS for CS for SB 748—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly; requiring the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Duval, St. Johns, Baker, and Nassau Counties; providing an exemption from ch. 641, Florida Statutes, for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; requiring the Agency for Health Care Administration to contract with a certain not-for-profit corporation to provide services under the federal Program of All-inclusive Care for the Elderly in Alachua and Clay counties; providing an exemption from ch. 641, Florida Statutes, for the corporation; authorizing, subject to appropriation, enrollment slots for the program in such counties; authorizing the Agency for Health Care Administration to contract with a certain organization to provide services under the federal Program of All-inclusive Care for the Elderly in Hernando and Pasco counties; providing an exemption from ch. 641, F.S., for the organization; authorizing, subject to appropriation, enrollment slots for the program in such counties; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 1192—A bill to be entitled An act relating to the provision of health care with controlled substances; creating ss. 400.996 and 408.833, F.S.; providing that regulation of the licensure, activity, and operation of clinics and health care facilities is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, clinics and health care facilities, except for ordinances regarding local business taxes and land development; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 458.326, F.S.; requiring a physician to consult the prescription drug monitoring program database or designate an agent to consult the database before prescribing certain controlled substances; authorizing the board to adopt a penalty for failure to consult the database; amending ss. 458.3265 and 459.0137, F.S.; requiring that owners of pain-management clinics be licensed physicians; removing language regarding nonphysician-owned pain-management clinics; providing that regulation of the licensure and activity of certain physi-

cians and osteopathic physicians is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, physicians and osteopathic physicians, except for ordinances regarding local business taxes and land development; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the board to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that regulation of the licensure, activity, and operation of pharmacies and pharmacists is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies and pharmacists, except for ordinances regarding local business taxes and land development; amending s. 893.055, F.S.; deleting an obsolete provision; authorizing the prescription drug monitoring program to be funded by state funds and pharmaceutical company donations; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; and Appropriations.

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

CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “election” to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commis-

sion; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates and political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board	
Appointees: Dudley, Fred R., Havana	10/31/2016
Lamas, Orlando, Miami Springs	10/31/2013
Board of Clinical Laboratory Personnel	
Appointees: Valdes, Linda, Orlando	10/31/2014
Van Siclen, Carleen P., Jacksonville	10/31/2015
Florida Commission on Community Service	
Appointees: Karlinsky, Autumn, Weston	09/14/2015
Scriven, Charles J., Tallahassee	09/14/2015
Board of Trustees, Edison State College	
Appointee: Perry, Julia Greene, Moore Haven	05/31/2016
Board of Trustees, State College of Florida, Manatee-Sarasota	
Appointee: Hager, Marlen J., Jr., Bradenton	05/31/2013
Board of Trustees, Pensacola State College	
Appointee: Moore, Marjorie T., Pensacola	05/31/2015

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Massage Therapy Appointee: Phillips, Sharon L., Winter Haven	10/31/2013
Board of Physical Therapy Practice Appointee: Quillen, William S., Odessa	10/31/2014
Board of Pilot Commissioners Appointees: Frudaker, Richard N., Panama City Trueba, Carlos M., Miami	10/31/2016 10/31/2016
Florida Real Estate Appraisal Board Appointee: McKee, Tamara J., Boca Raton	10/31/2016
Apalachee Regional Planning Council, Region 2 Appointee: Radford, Dawn E., Eastpoint	10/01/2015
Tampa Bay Regional Planning Council, Region 8 Appointee: Nunez, Andres E., Jr., St. Petersburg	10/01/2015
Southwest Florida Regional Planning Council, Region 9 Appointee: Perry, Thomas C., Jr., Moore Haven	10/01/2015
Big Cypress Basin Board of the South Florida Water Management District Appointee: Vaughn, John Wesley, Jr., Naples	03/01/2016

Referred to the Committee on Ethics and Elections.*Office and Appointment*

Board of Governors of the State University System Appointees: Link, Wendy S., Palm Beach Gardens Tripp, Norman D., Ft. Lauderdale	01/06/2020 01/06/2020
Board of Trustees, Florida A & M University Appointee: Gilzean, Glenton, Jr., St. Petersburg	01/06/2018
Board of Trustees, Florida Atlantic University Appointee: Workman, Thomas, Jr., Boca Raton	01/06/2018

Referred to the Committees on Education; and Ethics and Elections.*Office and Appointment*

Fish and Wildlife Conservation Commission Appointees: Bergeron, Ronald M., Weston Corbett, Richard A., Tampa Rivard, Adrien A. III, Panama City Beach	08/01/2017 01/06/2018 08/01/2017
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Governing Board of the Southwest Florida Water Management District

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Beswick, Bryan K., Arcadia Bronson, Thomas Edward, Brooksville	03/01/2016 03/01/2016

Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.*Office and Appointment*

Participant Local Government Advisory Council Appointees: Belden, Douglas R., Tampa Heffner, Patsy, Kissimmee Lovoy, Amy, Pensacola Price, Gary B., Jr., Naples	01/12/2017 01/12/2017 01/12/2017 01/12/2017
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Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections.*Office and Appointment*

Tampa-Hillsborough County Expressway Authority Appointee: Cassidy, Vincent J., Tampa	07/01/2016
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Referred to the Committees on Transportation; and Ethics and Elections.**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of March 19 and March 25 were corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—SM 1266, SB 1684; Altman—SM 1266; Bean—SM 1266; Benacquisto—CS for CS for SB 92, SM 1266; Bradley—SM 1266; Brandes—SM 1266; Braynon—SM 1266; Bullard—SB 196; Clemens—SM 1266; Dean—CS for SB 422, SM 1266; Detert—SB 1036, SM 1266; Evers—SM 1266; Gaetz—SM 1266; Galvano—SM 1266; Garcia—CS for SB 872, SM 1266; Gardiner—SM 1266; Gibson—SM 1266; Grimsley—SM 1266; Hays—SB 344, SM 1266; Hukill—SM 1266; Joyner—SM 1266; Latvala—SM 1266; Lee—SM 1266; Legg—SM 1266; Margolis—SM 1266; Montford—SM 1266; Negron—SM 1266; Richter—SM 1266; Ring—SM 1266; Sachs—SB 632, SM 1266; Simmons—SM 1266; Simpson—SM 1266; Smith—SM 1266; Sobel—SM 1266; Soto—SB 144, SB 656; Stargel—SM 1266; Thompson—SM 1266; Thrasher—SM 1266

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, April 4 or upon call of the President.



Journal of the Senate

Number 8—Regular Session

Wednesday, April 3, 2013

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REPORTS OF COMMITTEES

The Committee on Banking and Insurance recommends the following pass: SB 924

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 1468

The Committee on Community Affairs recommends the following pass: CS for SB 754; CS for SB 768; CS for SB 802; SB 952; CS for SB 1434

The Committee on Criminal Justice recommends the following pass: CS for SB 1420

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 546

The Committee on Judiciary recommends the following pass: CS for SB 370; SJR 1740

The Committee on Regulated Industries recommends the following pass: CS for SB 378

The Committee on Transportation recommends the following pass: CS for CS for SB 84 with 2 amendments

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

The Committee on Criminal Justice recommends the following pass: CS for SB 1372

The Committee on Judiciary recommends the following pass: CS for SB 400; CS for SB 540; SB 742; SB 1750

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Education recommends the following pass: SB 862

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

The Committee on Agriculture recommends the following pass: SB 1200

The Committee on Commerce and Tourism recommends the following pass: SB 1710

The Committee on Community Affairs recommends the following pass: SB 1026

The Committee on Education recommends the following pass: SB 1280; CS for SB 1718

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1190

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 410

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1162

The Committee on Judiciary recommends the following pass: SB 1036

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Commerce and Tourism recommends the following pass: SB 1012

The bill was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Education recommends the following pass: SB 1302

The Committee on Judiciary recommends the following pass: SB 1098

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

The Committee on Judiciary recommends the following pass: CS for SB 528

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SM 912; SB 1322

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1784

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 684; SB 1246

The Committee on Transportation recommends the following pass: SB 1480

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 552

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

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 320

The Committee on Community Affairs recommends the following pass: CS for SB 1160

The bills contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 606

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

The Committee on Community Affairs recommends the following pass: CS for SB 462

The Committee on Criminal Justice recommends the following pass: CS for SB 964

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

The Committee on Appropriations recommends the following pass: CS for SB 778

The Committee on Banking and Insurance recommends the following pass: CS for SB 1172

The Committee on Commerce and Tourism recommends the following pass: CS for SB 102

The Committee on Criminal Justice recommends the following pass: CS for SB 496

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 544; CS for SB 714; SB 1042; SB 1066; CS for SB 1496

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

The Committee on Education recommends the following pass: SB 158

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

The Committee on Appropriations recommends the following pass: CS for SB 92

The Committee on Commerce and Tourism recommends the following pass: SB 356; SB 1700

The Committee on Community Affairs recommends the following pass: CS for SB 934

The Committee on Criminal Justice recommends the following pass: CS for SB 454

The Committee on Judiciary recommends the following pass: CS for SB 646

The Committee on Regulated Industries recommends the following pass: CS for SB 248

The Committee on Rules recommends the following pass: CS for SB 186; CS for SB 1030; SB 1792

The bills were placed on the Calendar.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1588

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 482

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 890; SB 1032; CS for SB 1110; SB 1126; SB 1140

The bills with committee substitute attached were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Education recommends committee substitutes for the following: SB 154; SB 1390; SB 1722

The bills with committee substitute attached were referred to Appropriations Subcommittee on Education under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 518

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1070

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 442

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 360

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

The Committee on Education recommends a committee substitute for the following: SB 226

The Committee on Health Policy recommends a committee substitute for the following: SB 1264

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 64

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 580

The Committee on Transportation recommends a committee substitute for the following: SB 300

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

The Committee on Agriculture recommends a committee substitute for the following: SB 650

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

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1594

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1122

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1734

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1318

The Committee on Health Policy recommends a committee substitute for the following: SB 1094

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 566

The Committee on Criminal Justice recommends committee substitutes for the following: CS for SB 874; SB 1000; SB 1114; SB 1216; SB 1268; SB 1404

The Committee on Education recommends a committee substitute for the following: SB 1282

The Committee on Ethics and Elections recommends committee substitutes for the following: SB 1356; SB 1634

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 774

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 468

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

The Committee on Health Policy recommends a committee substitute for the following: SB 732

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 142

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

The Committee on Agriculture recommends a committee substitute for the following: SB 948

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 86; CS for SB 1076; CS for SB 1392; CS for SB 1660; CS for SB 1720; SB 1762

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 810

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 674

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 464

The Committee on Rules recommends committee substitutes for the following: CS for CS for SB 112; CS for SB 1106

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Finance and Tax recommends the following pass: CS for SB 404; CS for SB 864

The bills were referred to the Committee on Appropriations under the original reference.

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for SB 560; CS for SB 928

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends committee substitutes for the following: CS for SB 1024; CS for SB 1188; CS for SB 1458

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce and Tourism recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Executive Director, Department of Economic Opportunity

Office and Appointment
 Appointee: Panuccio, Jesse
 Pleasure of Governor

Board of Directors, Enterprise Florida, Inc.
 Appointee: Davis, Julius D. 09/30/2016

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:
Office and Appointment
 Capital Collateral Regional Counsel - Middle Region

Appointee: Jennings, John "Bill" W. 09/30/2015

Capital Collateral Regional Counsel - Southern Region
 Appointee: Dupree, Neal A. 09/30/2015

Secretary of Corrections
 Appointee: Crews, Michael D. Pleasure of Governor

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

Board of Trustees, Florida State University
 Appointee: Pantin, Leslie V. 01/06/2018

Board of Trustees, New College of Florida
 Appointee: Skestos, George A. 01/06/2018

The Committee on Education recommends that the Senate confirm the following appointments made by the Governor:
Office and Appointment

State Board of Education
 Appointee: Padget, John R. 12/31/2016

Board of Governors of the State University System
 Appointees: Huizenga, H. Wayne, Jr. 01/06/2020
 Lautenbach, Ned C. 01/06/2019

Board of Trustees, Florida International University
 Appointee: Alvarez, Cesar L. 01/06/2018

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointment made by the Governing Board:
Office and Appointment

Executive Director of South Florida Water Management District
 Appointee: Meeker, Melissa L. Pleasure of the Board

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointment made by the Governor:
Office and Appointment

Governing Board of the Southwest Florida Water Management District
 Appointee: Giesy-Griffin, Wendy 03/01/2016

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Appropriations—

SB 1516—A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; adopting the 2013 version of the code for the purposes of ch. 220, F.S.; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing for retroactive application; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

Senate Bills 1518-1794—Previously published.

By Senator Richter—

SB 1796—A bill to be entitled An act relating to the Lee County Tourist Development Council, Lee County; revising membership of the council; providing an exception to general law; providing an effective date.

—was referred to the Committee on Rules.

Senate Bills 1798-1816—Previously published.

By Senator Evers—

SCR 1818—A concurrent resolution urging Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide that every law enacted by Congress shall embrace only one subject that shall be clearly expressed in its title.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

Senate Resolutions 1820-1826—Previously published.

By the Committee on Appropriations—

SB 1828—A bill to be entitled An act relating to tax administration; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of "phosphate-related expenses" for the purpose of distributing certain tax proceeds; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee;

amending s. 212.14, F.S.; modifying the definition of the term “person”; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; providing retroactive application; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zipper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 1830—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.047, F.S.; providing that the postmark date of commercial mail delivery service is considered the date of filing for certain ad valorem applications or returns; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of first-class mail; providing requirements; amending s. 193.122, F.S.; requiring a property appraiser to publish notices of date of tax roll certifications and extensions on the property appraiser’s website; amending s. 193.155, F.S.; providing that a change of ownership for purposes of assessing property at just value does not apply to lessees entitled to the homestead; extending the time for appealing a value adjustment board’s denial of a taxpayer’s application to transfer prior homestead assessment limitations to a new homestead; amending s. 193.703, F.S.; authorizing a county to waive the annual application requirement for a reduction in the assessed value of homestead property used to provide living quarters for the parents or grandparents of the owner or spouse of the owner; requiring the property owner to notify the property appraiser if the reduction no longer applies; providing for tax, penalty, and interest assessments if the property owner improperly received reductions; providing for liens; amending s. 196.031, F.S.; deleting the express requirement that titleholders of homesteads live on the homestead in order to qualify for homestead tax exemption; amending s. 196.075, F.S., as amended by s. 1 of chapter 2012-57, Laws of Florida; clarifying that local governments that provide additional homestead exemptions to persons 65 and older may provide exemptions up to a certain amount; amending s. 196.1978, F.S.; removing the ability of a general partner classified as a 501(c)(3) organization to qualify as a limited partnership for the affordable housing property tax exemption; providing for retroactive application; amending s. 196.198, F.S.; clarifying the ownership of property used for education purposes and exempt from ad valorem taxation; amending s. 4 of chapter 2012-45, Laws of Florida; providing that taxes imposed by school districts in certain areas are not included in determining the taxes that must be transmitted to St. Lucie County pursuant to the transfer of property from St. Lucie County to Martin County; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations—

SB 1832—A bill to be entitled An act relating to taxation; amending s. 320.04, F.S.; reducing the service charges that are collected with an application for the original issuance, duplicate issuance, or transfer of certain specified registration certificates; amending s. 320.06, F.S.; reducing a fee collected for a motor vehicle registration; amending ss. 320.0804 and 320.08046, F.S.; reducing a surcharge on a license tax;

reenacting s. 320.0807(4), F.S., relating to special vehicle license plates for the Governor and federal and state legislators, to incorporate the amendment made to s. 320.06, F.S., in a reference thereto; amending s. 624.509, F.S.; deleting a credit based on the amount paid in salaries to employees within this state; amending ss. 624.5091 and 624.51055, F.S.; revising provisions to conform to changes made by the act; providing effective dates.

—was referred to the Committee on Appropriations.

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

SB 1834—A bill to be entitled An act relating to crossover youth; creating a pilot project to serve youth in common to the Department of Children and Families and the Department of Juvenile Justice; providing for selection of a county for the project; requiring the Secretary of Children and Families to seek proposals from interested providers; specifying elements to be included in the project; requiring reports to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Criminal Justice; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Regulated Industries; and Senators Sachs and Margolis—

CS for SB 64—A bill to be entitled An act relating to commercial parasailing; providing a short title; amending s. 327.02, F.S.; defining terms; creating s. 327.375, F.S.; requiring the operator of a vessel engaged in commercial parasailing to ensure that the requirements of s. 327.37, F.S., are met; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage requirements for the insurance policy; providing requirements for proof of insurance; specifying the insurance information that must be provided to each rider; prohibiting commercial parasailing unless certain conditions are met; and under certain weather conditions; requiring that a weather log be maintained and made available for inspection; providing a penalty; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Education; and Senators Flores and Benacquisto—

CS for CS for SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term “school property”; providing an exception; providing an effective date.

By the Committees on Rules; Criminal Justice; and Judiciary; and Senator Dean—

CS for CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass another, a document relating to the ownership, transfer, or encumbrance of, or claim against, real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent time when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or participating in a community correctional program and when the victim of the offense is a public officer or employee or incurs financial losses under certain circumstances; authorizing the court to issue an injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject

of the false statements has a civil cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term “public officer or employee”; revising criminal penalties for criminal actions under color of law or through use of simulated legal process; providing legislative intent; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing severability; providing an effective date.

By the Committee on Criminal Justice; and Senators Altman and Sobel—

CS for SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; clarifying in s. 393.063, that the meaning of the terms “intellectual disability” or “intellectually disabled” is the same as the meaning of the terms “mental retardation,” “retarded,” and “mentally retarded” for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term “intellectually disabled” for the term “mentally retarded”; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 916.107, F.S.; substituting the term “intellectual disability” for the term “retardation”; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms “intellectual disability” or “intellectually disabled” are interchangeable with and have the same meaning as the terms “mental retardation,” or “retardation” and “mentally retarded,” as defined before the effective date of the act; substituting the term “intellectual disability” for the term “mental retardation”; expressing legislative intent; providing an effective date.

By the Committee on Education; and Senators Detert and Clemens—

CS for SB 154—A bill to be entitled An act relating to certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.; renaming guidance counselors as “certified school counselors”; providing an effective date.

By the Committee on Education; and Senator Ring—

CS for SB 226—A bill to be entitled An act relating to disability awareness; amending s. 1003.4205, F.S.; requiring that each district school board provide disability history and awareness instruction in all K-12 public schools; providing for individual presenters who have disabilities to augment the disability history and awareness instruction; requiring each public school to establish a disability history and awareness advisory council; providing membership on the council at each school; providing responsibilities of the council at each school; providing meeting times for the council at each school; providing an effective date.

By the Committee on Transportation; and Senator Detert—

CS for SB 300—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 360—A bill to be entitled An act relating to surgical assistants and surgical technologists; amending s. 395.0191, F.S.; providing definitions; providing requirements for health care facilities that employ or contract with surgical assistants and surgical technologists; providing exceptions to these requirements; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Commerce and Tourism; and Senator Thompson—

CS for CS for SB 442—A bill to be entitled An act relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment and terms of commission members; providing for the reimbursement of per diem and travel expenses for commission members; authorizing the commission to establish or designate a direct-support organization for specified purposes; providing an effective date.

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

CS for SB 464—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.124, F.S.; authorizing the Department of Financial Services to adopt rules that allow an apparent owner of unclaimed property to submit a claim to the department electronically; providing for applicability with respect to specified property reported and remitted to the Chief Financial Officer; providing an effective date.

By the Committees on Health Policy; and Banking and Insurance; and Senator Hukill—

CS for CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates and forms; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation’s approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

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

CS for SB 482—A bill to be entitled An act relating to county employees; amending s. 125.01, F.S.; providing that the governing body of a county has authority to determine available benefits of county employees; specifying the applicability of ch. 121, F.S., to such employees; providing an effective date.

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

CS for SB 518—A bill to be entitled An act relating to economic business incentives; amending s. 212.08, F.S.; revising the sales tax exemption for certain business purchases of industrial machinery and equipment; deleting certain limitations on, and procedural requirements relating to, the exemption; deleting the sales tax exemption for machinery and equipment used for certain federal procurement contracts; conforming cross-references; amending s. 288.1045, F.S.; deleting the limitation on the maximum amount of tax refunds a business may receive under the qualified defense contractor and space flight business tax refund program; amending s. 288.106, F.S.; deleting the limitation on the maximum amount of tax refunds a business may receive under the tax refund program for qualified target industry businesses; amending ss. 212.0602, 220.183, 290.0056, 290.007, 627.5105, and 1011.94, F.S.; conforming cross-references; providing effective dates.

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

CS for SB 566—A bill to be entitled An act relating to security of protected consumer information; creating s. 501.0051, F.S.; providing definitions; authorizing the representative of a protected consumer to place a security freeze on the protected consumer's consumer record; requiring a consumer reporting agency to establish a record if the protected consumer does not have an existing consumer report; requiring a consumer reporting agency to provide written confirmation of a security freeze within a specified period; prohibiting a consumer reporting agency from stating or implying that a security freeze reflects a negative credit history or rating; requiring a consumer reporting agency to remove a security freeze under specified conditions; providing for applicability; authorizing a consumer reporting agency to charge a fee for placing or removing a security freeze and for reissuing personal identification information; prohibiting a fee under certain circumstances; requiring written notification to change specified information in a protected consumer's record; providing exemptions; requiring a consumer reporting agency to notify a representative and provide specified information if the consumer reporting agency violates a security freeze; providing penalties and civil remedies; providing written disclosure requirements for consumer reporting agencies pertaining to protected consumer security freezes; providing an effective date.

By the Committee on Regulated Industries; and Senator Hays—

CS for SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending

criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.308, F.S.; prohibiting the levy of special assessments or an increase in assessments levied pursuant to the annual budget under certain circumstances; providing an effective date.

By the Committee on Agriculture; and Senator Sachs—

CS for SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowls; creating s. 828.1615, F.S.; providing that it is unlawful for a person to dye or artificially color any animal or fowl; providing that it is unlawful to sell or give away animals of a certain age; providing exceptions; providing criminal penalties; providing an effective date.

By the Committees on Community Affairs; and Agriculture; and Senators Montford, Sachs, and Evers—

CS for CS for SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; providing an effective date.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 732—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Commerce and Tourism; and Senators Thompson, Clemens, Soto, Sobel, Joyner, Abruzzo, Margolis, Ring, Gibson, Braynon, and Detert—

CS for CS for SB 774—A bill to be entitled An act relating to discrimination; amending s. 760.10, F.S.; prohibiting employment discrimination on the basis of pregnancy, childbirth, or a related medical condition; providing an exception for certain benefits; providing an effective date.

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

CS for CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

By the Committees on Criminal Justice; and Regulated Industries; and Senator Galvano—

CS for CS for SB 874—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions; prohibiting a person from allowing a party to take place if a minor is in possession of or

consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

By the Committee on Criminal Justice; and Senator Braynon—

CS for SB 890—A bill to be entitled An act relating to false personation; amending s. 843.08, F.S.; prohibiting a person from falsely personating a firefighter; amending s. 843.085, F.S.; prohibiting operation or ownership of a motor vehicle falsely marked with the intent to mislead or cause another person to believe that such vehicle is authorized by a fire department for use by the person operating it; providing an exception; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Agriculture; and Senator Grimsley—

CS for SB 948—A bill to be entitled An act relating to water supply; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs require the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; providing that the governing board of a water management district shall assist self-suppliers, among others, in meeting water supply demands in a manner that will give priority to encouraging conservation and reducing adverse environmental effects; providing that the governing board of a water management district may contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; providing that certain planning by the governing board of a water management district must be conducted in coordination and cooperation with the Department of Agriculture and Consumer Services, among other interested parties; requiring that certain agricultural demand projections be based upon the best available data and providing considerations to determine the best available data; requiring certain information if there is a deviation from the data provided by the Department of Agriculture and Consumer Services; authorizing certain users to propose specific projects for inclusion in the list of water supply development project options; removing references to alternative water supply projects; requiring water management districts to assist in developing multijurisdictional approaches to water supply project development jointly with affected self-suppliers in certain areas; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program that includes certain data; providing criteria for development of data; providing an effective date.

By the Committee on Criminal Justice; and Senator Gibson—

CS for SB 1000—A bill to be entitled An act relating to the purchase of firearms by mentally ill persons; amending s. 790.065, F.S.; providing conditions under which a person who has been voluntarily admitted to a mental institution for treatment and has undergone an involuntary examination under the Baker Act may be prohibited from purchasing a firearm; providing requirements for the examining physician; providing for judicial review of certain findings; providing specified notice requirements; providing form and contents of notice; providing requirements with respect to the filing of specified records with the court and presentation of such records to a judge or magistrate; providing lawful authority of a judge or magistrate to review specified records and order such records be submitted to the Department of Law Enforcement; providing a timeframe for submission of records to the department upon order by a judge or magistrate; providing an effective date.

By the Committee on Criminal Justice; and Senator Altman—

CS for SB 1032—A bill to be entitled An act relating to inmate reentry; amending s. 322.051, F.S.; waiving the fee for identification cards issued to certain inmates; amending s. 382.0255, F.S.; requiring a waiver of fees for certain inmates receiving a copy of a birth certificate; amending s. 944.605, F.S.; requiring the Department of Corrections to work with other agencies in acquiring necessary documents for certain inmates to acquire an identification card before release; providing exceptions; requiring the department to provide specified assistance to inmates born outside this state; requiring a report; amending s. 944.801,

F.S.; requiring skills assessment and training; amending s. 944.803, F.S.; authorizing the department to operate male and female faith- and character-based institutions; creating s. 948.0125, F.S.; directing the department to establish a reentry program for nonviolent offenders; providing eligibility and participation requirements; providing guidelines where the department shall terminate inmate's participation in program; providing for inmate to participate in drug offender probation upon completion of in-prison reentry program; authorizing use of post-adjudicatory drug court for program participant; authorizing the department to contract for services; providing that no rights are conferred upon inmates to participate in reentry program; providing for reports and rulemaking authority; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Hays—

CS for SB 1070—A bill to be entitled An act relating to emergency communication systems; amending s. 365.172, F.S.; extending the date for which the E911 fee may not be collected for prepaid calling arrangements and from prepaid wireless service providers; providing an effective date.

By the Committees on Appropriations; and Education; and Senators Legg, Stargel, Brandes, Benacquisto, Bean, and Sobel—

CS for CS for SB 1076—A bill to be entitled An act relating to education; providing a short title; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center or a system of technical centers; providing for membership of the board; amending s. 1001.706, F.S.; revising the Board of Governors' strategic plan to include criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; amending s. 1002.3105, F.S.; adding attainment of industry certifications to the list of acceleration options available to public school students; amending s. 1003.41, F.S.; revising the core curricular content for mathematics and social studies within the Next Generation Sunshine State Standards; amending s. 1003.4156, F.S.; revising the requirements for the course in career and education planning which students in middle grades must successfully complete for promotion; amending s. 1003.4203, F.S.; requiring each district school board to make available digital materials for students in kindergarten through grade 12; revising the digital curriculum; authorizing the digital materials to be integrated into subject area curricula, offered as a separate course, or made available through other options; requiring the Department of Education to confirm that each school district has made available digital instructional materials for certain students with disabilities by a specified date; requiring the department to contract with technology companies or affiliated nonprofit organizations by a specified date to develop a cyber security recognition and a digital arts and technology recognition; requiring that the recognitions be made available to all public elementary school students at no cost to the districts; requiring the department to contract by a specified date with technology companies to provide a digital tools certificate; requiring that the digital tools certificate be made available to all public middle school students at no cost to the school districts; providing legislative intent; requiring the department or a contracted company or companies to provide technical assistance to district school boards; providing criteria for the assistance; authorizing a district school board to seek partnerships with other school districts, private businesses, colleges, universities, or consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials and certifications; requiring the State Board of Education to adopt rules; amending s. 1003.428, F.S.; revising requirements for high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; requiring a school district to provide each student and parent information about diploma designations through an online

education and career planning tool; requiring the State Board of Education to approve academic eligibility designations; requiring the State Board of Education to review academic eligibility designations and make recommendations to the Legislature; creating s. 1003.4286, F.S.; authorizing the Commissioner of Education to award a standard high school diploma to certain honorably discharged veterans; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4291, F.S.; providing requirements for accelerated high school graduation options; establishing an 18-credit requirement; providing course and assessment requirements; amending s. 1003.4295, F.S.; requiring the department to develop, the State Board of Education to approve, and each school district to provide alternative pathways of earning accelerated credit toward meeting general credit requirements for high school graduation; amending s. 1003.433, F.S.; deleting a provision that exempts students attending adult basic, adult secondary, or vocational-preparatory instruction from payment of certain fees and tuition; repealing s. 1003.4935(4), F.S., relating to the adoption of rules by the State Board of Education that identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certification Funding List and which are eligible for additional full-time equivalent membership; amending s. 1004.02, F.S.; revising definitions; creating s. 1004.082, F.S.; requiring the Chancellor of the State University System to cooperate with the Commissioner of Education to support the operation of programs to encourage talented secondary school students and students of physics or mathematics programs to pursue a postsecondary education at a state university; amending s. 1004.91, F.S.; providing requirements for basic skills for a career education program; requiring each school district and Florida College System institution that conducts programs that confer career and technical certificates to provide applied academics instruction through which students receive basic skills instruction; requiring certain students to be referred to applied academics instruction or another adult general education program for a structured program or basic skills instruction; revising the types of students who are exempt from completing the basic skills for a career education program; amending s. 1004.93, F.S.; requiring students who are entering adult general education programs to complete certain activities before a specified date in order to accelerate employment; providing for the development of the action-steps-to-employment activities; amending s. 1007.263, F.S.; conforming a provision to changes made by the act; amending s. 1007.271, F.S.; conforming a provision to changes made by the act; revising requirements for career dual enrollment programs to include the earning of an industry certification; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English language arts and mathematics; providing requirements for assessment scores, achievement levels, assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; requiring each school district to establish a comprehensive plan for student progression which must provide instructional sequences for students in kindergarten through high school to progressively higher levels of competency in the use of digital tools; amending s. 1008.37, F.S.; conforming a provision to changes made by the act; creating s. 1008.44, F.S.; requiring the Department of Education to annually identify the Industry Certification Funding List; requiring the State Board of Education to adopt the Postsecondary Industry Certification Funding List; requiring the Commissioner of Education to recommend to the State Board of Education the Postsecondary Industry Certification Funding List; authorizing the commissioner to recommend adding certifications; requiring the Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the funding list; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance

funding distributions to school districts and Florida College System institutions; requiring the chancellors to consider results of the economic security report of employment and earnings outcomes when recommending certifications for the list; requiring the commissioner to differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding under certain circumstances; requiring differentiated requirements to be included in the Industry Certification Funding List; amending ss. 1009.22 and 1009.25, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; revising the procedure for annual allocation of funds to each school district; revising the bonus funding for enrollment in advanced placement and International Baccalaureate courses; increasing the funding cap on funding associated with industry certifications; providing a performance bonus for teachers of specified subjects; revising the calculation of additional full-time equivalent membership based on certification of successful completion of a career-themed course and issuance of an industry certification; requiring that industry certification courses be reported and funded; requiring each school district to certify to the department each elementary school that achieves a certain percentage of student attainment of certain recognitions; authorizing bonus funding for middle schools where students earn the Florida Digital Tools Certificate; amending s. 1011.80, F.S.; deleting the performance output measure for a career program of study; providing that continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs; providing distribution and calculation of performance funding for school district workforce education programs; amending s. 1011.81, F.S.; providing for performance funding for industry certifications for Florida College System institutions; amending s. 1011.905, F.S.; revising requirements for performance funding for state universities; providing an effective date.

By the Committee on Health Policy; and Senator Flores—

CS for SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the imposition of the fine; providing an effective date.

By the Committees on Rules; and Agriculture; and Senator Hays—

CS for CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term "agritourism activity," changing the term "agritourism professional" to "agritourism operator," and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

By the Committees on Criminal Justice; and Transportation; and Senator Evers—

CS for CS for SB 1110—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring the Governor to appoint one or more persons as special officers for a railroad or other common carrier under certain circumstances; authorizing the railroad or common carrier to temporarily employ a person as a special officer; requiring the special officer to have the same training and certification as a law enforcement officer; providing that a Class I, Class II, or Class III railroad is considered an "employing agency" for purposes of ss. 943.13 and 943.135(1), F.S.; providing responsibility of certain costs; amending

s. 784.07, F.S.; defining the term “railroad special officer”; providing for reclassification of certain offenses committed against a railroad special officer; amending s. 943.10, F.S.; including special officers employed by a railroad or other common carrier within the definition of “law enforcement officer” and including certain railroads within the definition of “employing agency” for purposes of specified provisions relating to law enforcement officer standards; providing an effective date.

By the Committee on Criminal Justice; and Senator Altman—

CS for SB 1114—A bill to be entitled An act relating to sex offenses; amending s. 90.803, F.S.; providing that an out-of-court statement by a child victim with a physical, mental, emotional, or developmental age of 16 or less rather than 11 or less describing specified criminal acts is admissible in evidence in certain instances; amending s. 775.21, F.S.; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 800.03, F.S.; providing enhanced penalties for third or subsequent indecent exposure violations; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of additional sexual offender registration information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff’s office within a specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions allowing removal from the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the criteria applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; replacing the term “instant message name” with the term “Internet identifier”; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term “instant message name” with the definition of the term “Internet identifier”; conforming provisions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.005, F.S.; revising the definition of the term “risk assessment”; amending s. 948.31, F.S.; authorizing the court to require sexual offenders and sexual predators who are on probation or community control to undergo an evaluation to determine whether the offender or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information

by act or omission; amending s. 921.0022, F.S.; conforming cross-references; providing an effective date.

By the Committee on Community Affairs; and Senators Simpson and Dean—

CS for SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; providing that certain authorities in rural areas or small communities may decrease fire flow requirements; providing that fire officials shall enforce Florida Building Code provisions for occupancy separation for certain structures with certain occupancies; exempting certain farming and ranching structures from the code; providing an effective date.

By the Committee on Criminal Justice; and Senator Joyner—

CS for SB 1126—A bill to be entitled An act relating to the unlawful possession of the personal identification information of another person; creating s. 817.5685, F.S.; defining the term “personal identification information”; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; creating criminal penalties; providing that possession of identification information of multiple individuals gives rise to an inference of illegality; providing that certain specified persons are exempt from provisions regarding the unlawful possession of personal identification information of another person; creating affirmative defenses; providing that the act does not preclude prosecution for the unlawful possession of personal identification information of another person under any other law; providing an effective date.

By the Committee on Criminal Justice; and Senator Stargel—

CS for SB 1140—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; repealing s. 569.0073, F.S., relating to the retail sale of certain smoking pipes and smoking devices; providing an effective date.

By the Committee on Criminal Justice; and Senator Bradley—

CS for SB 1216—A bill to be entitled An act relating to employers and employees; amending s. 34.01, F.S.; providing jurisdiction of county courts over wage theft civil actions; creating s. 448.115, F.S.; providing a definition for the term “wage theft”; creating a civil cause of action for wage theft; providing the procedure for filing of a civil action for wage theft; providing jurisdiction; limiting the filing fee to no more than \$50; requiring a claimant to notify the employer of the employee’s intention to initiate a civil action; allotting the employer a specific time to resolve the action; providing a statute of limitations; requiring a claimant to prove wage theft by a preponderance of the evidence; limiting compensatory damages to twice the amount owed; prohibiting certain damages; authorizing a county, municipality, or political subdivision to establish a process by which a claim may be filed; prohibiting a local government from adopting or maintaining in effect a law, ordinance, or rule for the purpose of addressing unpaid wage claims; prohibiting the preemption of certain local ordinances governing wage theft; providing that any regulation, ordinance, or other provision for recovery of unpaid wages by counties, municipalities, or political subdivisions is prohibited and preempted to the state; providing an effective date.

By the Committee on Health Policy; and Senator Flores—

CS for SB 1264—A bill to be entitled An act relating to hospital licensure; amending s. 395.003, F.S.; authorizing certain specialty-licensed children’s hospitals to provide obstetrical services under certain circumstances; providing an effective date.

By the Committee on Criminal Justice; and Senator Detert—

CS for SB 1268—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; amending s. 48.031, F.S.; requiring an employer, employee, or representative or agent of an employer to permit an authorized individual to make service on an employee in a private area designated by the employer; providing criminal penalties for persons failing to comply with the process; authorizing substitute service during the first attempt of service at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising provisions relating to the address used for service on a registered agent; amending s. 56.27, F.S.; requiring the levying creditor to deliver to the sheriff an affidavit setting forth how to pay out moneys received under an execution sale; providing that the sheriff is not liable for damages under certain circumstances; providing an effective date.

By the Committee on Education; and Senator Stargel—

CS for SB 1282—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; requiring policies agreed to by the sponsor and charter school to be incorporated into the charter contract; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12; authorizing a school district to enter into interlocal agreements with certain entities in order to engage in certain activities and meet certain needs for operation of charter school; providing requirements for the interlocal agreements; revising requirements for charter school applications; providing requirements for an annual financial plan that must be submitted with a charter school application; prohibiting the governing board or other related entity of a charter school subject to a corrective action plan or financial recovery plan from applying to open an additional charter school; providing disclosure requirements; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; reducing the amount of time for negotiation of a charter; providing that a provision of a charter contract inconsistent with, or not expressly provided for within, certain requirements is void and unenforceable; revising provisions relating to the issuance of a final order in contract dispute cases; requiring a charter to set forth an annual program of continual, detailed reporting and review of the charter school's financial operations; providing a restriction relating to a required certificate of occupancy; requiring the charter agreement to terminate if the charter school closes; prohibiting certain charter school contracts from extending beyond the terms of the contract; authorizing the consolidation of multiple charters into a single charter in certain circumstances; requiring a charter school's sponsor to make student academic achievement for all students the most important factor when determining whether to renew or terminate the charter; revising the financial information that is required by charter schools; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; restricting expenditures upon nonrenewal or termination of a charter school; requiring a charter school to maintain specified information on a website; revising provisions relating to eligible students; revising provisions requiring charter school compliance with statutes relating to education personnel compensation, contracts, performance evaluations, and workforce reductions; providing requirements for the reimbursement of federal funds to charter schools; requiring the use of standard charter and charter renewal contracts and a standard evaluation instrument; providing restrictions on the employment of governing board members; providing definitions; amending s. 1002.331, F.S.; providing requirements for modification of a charter; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; authorizing declassification as a high-performing charter school system; amending s. 1013.62, F.S.; revising a charter

school's eligibility requirements for funding allocation; providing an effective date.

By the Committee on Ethics and Elections; and Senator Soto—

CS for SB 1318—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public record requirements for a complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation of the complaint by the agency; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Ethics and Elections; and Senator Flores—

CS for SB 1356—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in even-numbered years; providing an effective date.

By the Committee on Education; and Senator Montford—

CS for SB 1390—A bill to be entitled An act relating to school district innovation; providing a short title; amending s. 196.1983, F.S.; granting school districts the ad valorem tax exemption given to charter schools; requiring a landlord to certify compliance by affidavit; amending s. 1002.31, F.S.; providing a calculation for compliance with class size maximums for a public school of choice; creating s. 1003.622, F.S.; creating innovation schools to allow school districts to earn flexibility for high academic achievement; specifying school and student eligibility requirements; limiting the number of innovation schools that may be operated and established in a school district; providing guiding principles for innovation schools; requiring innovation schools to personalize education for each student; establishing an application process; specifying requirements of a performance contract between the State Board of Education and a school district; establishing the term of the performance contract; providing for a Region of Innovation in which three or more school districts enter into a joint performance contract; requiring the State Board of Education to monitor innovation schools for compliance with the act and performance contracts; requiring the State Board of Education to adopt rules; providing that a participating school district has autonomy in certain areas; exempting innovation schools from ch. 1000-1013, F.S., subject to certain exceptions; exempting such districts from certain ad valorem taxes and other requirements; providing for funding; requiring a school district with an innovation school to submit an annual report to the State Board of Education and the Legislature; specifying requirements for such report; providing an effective date.

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

CS for CS for SB 1392—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; revising the definition of "vested" or "vesting"; providing that a member initially enrolled in the Florida Retirement System after a certain date is vested in the pension plan after 10 years of creditable service; amending s. 121.051, F.S.; providing for compulsory membership in the Florida Retirement System Investment Plan for employees in the Elected Officers' Class or the Senior Management Service Class initially enrolled after a specified date; conforming cross-references to changes made by the act; amending s. 121.052, F.S.; prohibiting members of the Elected Officers' Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; prohibiting an elected official eligible for membership in the Elected Officers' Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Service Optional Annuity Program to new members after a specified date; amending s. 121.091, F.S.; providing that certain members are entitled to a monthly disability benefit; revising provisions to conform to changes made by the act; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; revising the definition of

“member” or “employee”; revising a provision relating to acknowledgement of an employee’s election to participate in the investment plan; placing certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; authorizing certain employees to elect to participate in the pension plan, rather than the default investment plan, within a specified time; providing for the transfer of certain contributions; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; conforming provisions and cross-references to changes made by the act; amending s. 121.591, F.S.; revising provisions relating to disability retirement benefits; amending s. 121.71, F.S.; decreasing the employee retirement contribution rates for investment plan members; amending ss. 121.35, 238.072, 413.051, and 1012.875, F.S.; conforming cross-references; providing that the act fulfills an important state interest; providing an effective date.

By the Committee on Criminal Justice; and Senator Stargel—

CS for SB 1404—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; establishing a statute of limitations for criminal and civil causes of actions under the act; specifying circumstances that toll the statute of limitations; amending s. 921.0022, F.S.; increasing the severity of a violation of the act for purposes of the criminal punishment code; providing an effective date.

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

CS for SB 1588—A bill to be entitled An act relating to used tires; prohibiting the sale of unsafe used tires by used tire retailers; providing an exception; providing what constitutes an unsafe used tire; providing that a person who sells or offers for sale an unsafe used tire commits an unfair and deceptive trade practice; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Bradley—

CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency’s guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

By the Committee on Ethics and Elections; and Senators Lee and Joyner—

CS for SB 1634—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S., and reenacting subsections (4)-(8), relating to lobbying before the Legislature; revising the term “expenditure” to exclude the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, to exempt such use from legislative lobbying requirements; providing exceptions when a member or an employee of the Legislature may accept certain expenditures made by a lobbyist or a

principal; providing for the future expiration and the reversion as of a specified date of statutory text; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senators Flores and Sobel—

CS for CS for SB 1660—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop and periodically update performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications or notification of entities that are eligible for the award; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by a specified date, and annually thereafter, the status of implementing the award program; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; amending s. 381.922, F.S.; authorizing endowments under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at research institutions contingent upon an appropriation; providing procedures if the endowed chair becomes vacant; requiring that research institutions report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Galvano—

CS for CS for SB 1720—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction; revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state’s highest performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; providing duties and responsibilities of an advisory board, the university, and the Board of Governors to provide

high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance and subject to appropriation; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; defining the term “developmental education” as it relates to public postsecondary education; amending s. 1004.43, F.S.; transferring oversight of the H. Lee Moffitt Cancer Center and Research Institute to the Board of Trustees of the University of South Florida; requiring the Board of Trustees to enter into a lease agreement for use of certain land and facilities; providing for the terms of the lease; requiring the University of South Florida and the Florida not-for-profit corporation that governs and operates the H. Lee Moffitt Cancer Center and Research Institute to enter into an agreement to review construction plans and specifications for consistency of certain criteria; revising the membership of the board of directors for the not-for-profit corporation; deleting the requirement that the Board of Governors provide for certain approvals of the articles of incorporation of the not-for-profit corporation and use of land and facilities for certain purposes; requiring the not-for-profit corporation to cause to be prepared annual financial audits; requiring the not-for-profit corporation to provide equal employment opportunities; providing for the governance and operation of the facilities if the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida, rather than the Board of Governors, is terminated; requiring the chief executive officer to report annually to the Board of Governors on the educational activities of the not-for-profit corporation; providing for the creation and duties of an external advisory board; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and computation skills that are essential to perform college-level work; deleting a prohibition against a student’s enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations

of noncompliance with law or Board of Governors’ rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending s. 1008.34, F.S.; revising the grading of middle schools and high schools to include added weight for students who participate and are enrolled in certain classes; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.; excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming terminology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Education; and Senator Legg—

CS for SB 1722—A bill to be entitled An act relating to early learning; establishing the Office of Early Learning within the Office of the Commissioner of Education; establishing responsibilities of the Office of Early Learning; providing an effective date.

By the Committee on Criminal Justice; and Senator Flores—

CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

CS for SB 1762—A bill to be entitled An act relating to state technology; transferring, renumbering, and amending s. 14.204, F.S.; creating the Department of State Technology; providing for the organizational structure of the department; creating a Technology Advisory Council and providing for membership; amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; requiring the department to develop a long-range plan; providing the powers and duties of the department; amending s. 282.0056, F.S.; conforming provisions to changes made by the act; deleting the requirement that the department’s work plan be presented at a public hearing; expressly exempting certain entities from data center consolidation; creating s. 282.0057, F.S.; providing a schedule for the initiation of department information technology projects; specifying tasks to be approved and completed; repealing s. 282.201, relating to the state data center system; amending s. 282.203, F.S.; conforming provisions to changes made by the act; providing for future repeal; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services to the department, co-location services to the Department of Legal Services and the Department of Agriculture and Consumer Services, and host the Legislative Appropriations Sys-

tem/Planning and Budgeting Subsystem; providing for governance of the center; authorizing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center; amending s. 282.318, F.S.; conforming provisions to changes made by the act; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.604, 282.702, 282.703, 20.22, 110.205, 215.22, 215.322, 215.96, 216.292, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 445.011, 445.045, 668.50, and 1006.73, F.S.; conforming provisions to changes made by the act; transferring the personnel, functions, and funds of the Agency for Enterprise Information Technology to the Department of State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Department of State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the department; providing that the status of any employee positions transferred to the department is retained; providing an appropriation; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Agriculture; and Senator Grimsley—

CS for SB 948—A bill to be entitled An act relating to water supply; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs require the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; providing that the governing board of a water management district shall assist self-suppliers, among others, in meeting water supply demands in a manner that will give priority to encouraging conservation and reducing adverse environmental effects; providing that the governing board of a water management district may contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; providing that certain planning by the governing board of a water management district must be conducted in coordination and cooperation with the Department of Agriculture and Consumer Services, among other interested parties; requiring that certain agricultural demand projections be based upon the best available data and providing considerations to determine the best available data; requiring certain information if there is a deviation from the data provided by the Department of Agriculture and Consumer Services; authorizing certain users to propose specific projects for inclusion in the list of water supply development project options; removing references to alternative water supply projects; requiring water management districts to assist in developing multijurisdictional approaches to water supply project development jointly with affected self-suppliers in certain areas; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program that includes certain data; providing criteria for development of data; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Criminal Justice; and Senator Bradley—

CS for SB 1216—A bill to be entitled An act relating to employers and employees; amending s. 34.01, F.S.; providing jurisdiction of county courts over wage theft civil actions; creating s. 448.115, F.S.; providing a definition for the term “wage theft”; creating a civil cause of action for wage theft; providing the procedure for filing of a civil action for wage theft; providing jurisdiction; limiting the filing fee to no more than \$50; requiring a claimant to notify the employer of the employee’s intention to initiate a civil action; allotting the employer a specific time to resolve the action; providing a statute of limitations; requiring a claimant to prove wage theft by a preponderance of the evidence; limiting compensatory damages to twice the amount owed; prohibiting certain damages; authorizing a county, municipality, or political subdivision to establish a process by which a claim may be filed; prohibiting a local government from adopting or maintaining in effect a law, ordinance, or rule for the purpose of addressing unpaid wage claims; prohibiting the preemption of

certain local ordinances governing wage theft; providing that any regulation, ordinance, or other provision for recovery of unpaid wages by counties, municipalities, or political subdivisions is prohibited and preempted to the state; providing an effective date.

—was referred to the Committees on Judiciary; and Appropriations.

By the Committee on Criminal Justice; and Senator Stargel—

CS for SB 1404—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; establishing a statute of limitations for criminal and civil causes of actions under the act; specifying circumstances that toll the statute of limitations; amending s. 921.0022, F.S.; increasing the severity of a violation of the act for purposes of the criminal punishment code; providing an effective date.

—was referred to the Committees on Judiciary; and Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 95, CS for HB 179, HB 209, CS for HB 223, CS for HB 413, CS for HB 623, CS for CS for HB 7011, HB 7017; has passed as amended CS for HB 155, CS for CS for HB 239, CS for CS for CS for HB 569, CS for HB 7065 and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

By Regulatory Affairs Committee and Representative(s) Holder—

CS for HB 95—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing for applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

By Civil Justice Subcommittee and Representative(s) Young, Campbell, Van Zant—

CS for HB 179—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Appropriations.

By Representative(s) Metz, Nelson—

HB 209—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—was referred to the Committees on Education; and Appropriations.

By Insurance & Banking Subcommittee and Representative(s) Lee—

CS for HB 223—A bill to be entitled An act relating to insurance; amending s. 627.421, F.S.; authorizing the posting of specified types of

insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Tourism.

By Health Quality Subcommittee and Representative(s) Hutson, Campbell, Cummings, Diaz, M., Eagle, Fitzenhagen, Hood, La Rosa, Peters, Pigman, Raulerson, Rodrigues, R., Santiago, Spano—

CS for HB 413—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing a physical therapist to implement physical therapy treatment plans of a specified duration which are developed by the physical therapist or provided by a practitioner of record or an advanced registered nurse practitioner; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Rules.

By Regulatory Affairs Committee and Representative(s) Artiles, Fresen, Moskowitz, Young—

CS for HB 623—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing an exception to the maximum allowable capacity for an individual container of wine sold in this state; providing that certain wine sold or offered for sale by specified vendors shall be in the unopened original container; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Tourism; and Rules.

By State Affairs Committee, Appropriations Committee, Government Operations Subcommittee and Representative(s) Brodeur, Precourt—

CS for CS for HB 7011—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051, F.S.; limiting the ability of members of an optional retirement program to transfer to the Florida Retirement System; providing for compulsory membership in the Florida Retirement System Investment Plan for employees initially enrolled after a specified date; authorizing certain employees to participate in the investment plan; amending s. 121.052, F.S.; prohibiting members of the Elected Officers' Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; closing the Senior Management Service Optional Annuity Program to new members after a specified date; prohibiting an elected official eligible for membership in the Elected Officers' Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Service Optional Annuity Program to new members after a specified date; amending s. 121.35, F.S.; providing that certain participants in the optional retirement program for the State University System have a choice between the optional retirement program and the Florida Retirement System Investment Plan; providing for compulsory membership in the investment plan for certain employees; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; providing for the transfer of certain contributions; revising a provision relating to acknowledgment of an employee's election to participate in the investment plan; requiring the State Board of Administration to develop investment products to be offered in the investment plan; requiring the State Board of Administration to provide a self-directed brokerage account as an investment option; requiring the state board to contract with a provider to provide a self-directed brokerage account investment option; providing self-directed brokerage account requirements; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; providing the state board and the provider of the self-directed brokerage account investment option with certain responsibilities; providing that the state board is not required to deliver certain information regarding the self-directed brokerage account; making conforming changes; removing unnecessary language; amending s. 121.591, F.S.; providing an additional death benefit to specified members of the Special Risk Class; amending ss. 238.072 and 413.051, F.S.; conforming

cross-references; adjusting the required employer contribution rates for the unfunded actuarial liability of the Florida Retirement System for select classes; providing a directive to the Division of Law Revision and Information; providing that the act does not modify or limit benefits available to current members except as specified; providing that the act fulfills an important state interest; requiring the State Board of Administration and the Department of Management Services to request a determination letter from the Internal Revenue Service; providing effective dates.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; and Appropriations.

By Civil Justice Subcommittee and Representative(s) Spano, Metz—

HB 7017—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Select Committee on Gaming and Representative(s) Trujillo, Patronis, Adkins, Coley, Cummings, Fasano, Gaetz, Hager, Porter, Precourt—

CS for HB 155—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term "drawing by chance" to include the term "raffle" within the meaning of the term and exclude the term "game promotions"; revising conditions for exceptions to prohibitions on lotteries; amending s. 849.094, F.S., relating to game promotions in connection with sale of

consumer products or services; revising definitions; providing that violations are deceptive and unfair trade practices; amending s. 849.16, F.S.; defining the term "slot machine or device" for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S., relating to amusement games or machines; revising and providing definitions; revising provisions that exempt certain amusement games and centers from the application of specified provisions relating to gambling; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—was referred to the Committees on Gaming; and Rules.

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Caldwell, Williams, A., Ahern, Artes, Broxson, Cummings, Davis, Gaetz, Hudson, Mayfield, McBurney, O'Toole, Pafford, Pigman, Rodrigues, R.—

CS for CS for HB 239—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term "licensed practitioner" to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term "practitioner" to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term "health care practitioner" to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By State Affairs Committee, Appropriations Committee, Ethics & Elections Subcommittee and Representative(s) Schenck—

CS for CS for CS for HB 569—A bill to be entitled An act relating to the Florida Election Code; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections of the Department of State to provide certain notifications to committees of continuous existence; amending ss. 101.62, 102.031, and 111.075, F.S.; conforming provisions; amending and re-ordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; revising the definition of the term "candidate" to include a candidate for a political party executive committee; deleting the definition of the term "committee of continuous existence," to conform; conforming provisions and cross-references; amending s. 106.022, F.S.; conforming a provision; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fund raiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming cross-references; amending s. 106.05, F.S.; revising the information that is required to appear on a campaign bank account for deposit of funds; amending s. 106.07, F.S.; revising reporting requirements for candidates and political committees; conforming provisions; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; conforming provisions and cross-references; amending s. 106.08, F.S.; revising limitations on campaign contributions; conforming provisions and a cross-reference; amending s. 106.087, F.S.; conforming provisions; amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.12, F.S.; conforming a cross-reference; amending s. 106.141, F.S.; specifying the amount of surplus funds a candidate may give to an affiliated party committee or political party; specifying the maximum amount of funds that certain candidates may transfer from a campaign account to an office account; expanding the permissible uses of office account funds; providing for retention of surplus campaign funds by a candidate for specified purposes; providing reporting requirements for surplus campaign funds; providing for disposition of the funds; modifying requirements for disposing of or transferring surplus funds; amending ss. 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references; directing the Division of Elections to submit a proposal to the Legislature for a mandatory statewide electronic filing system; authorizing positions and providing appropriations; providing effective dates.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Rules.

By Appropriations Committee, State Affairs Committee and Representative(s) Caldwell, Precourt—

CS for HB 7065—A bill to be entitled An act relating to Everglades improvement and management; amending s. 373.4592, F.S.; revising legislative findings for achieving water quality goals; revising the definition of the term "Long-Term Plan"; revising provisions for use of certain ad valorem tax proceeds; directing the South Florida Water Management District to complete a specified analysis; revising provisions for collection of the agricultural privilege tax; providing for the use of such tax proceeds; providing that payment of the tax and certain costs fulfills certain constitutional obligations; providing appropriations; providing effective dates.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed SB 204, SB 212, CS for SB 214, SB 686, SB 688, CS for SB

690, SB 692, SB 694 and SB 994; passed SB 200, SB 202, SB 206, SB 208, SB 210, SB 216, SB 218 and SB 220 by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CO-INTRODUCERS

Senators Bean—CS for CS for SB 84; Benacquisto—CS for SB 1000; Brandes—CS for SB 1344; Braynon—SB 882; Detert—CS for SB 774; Joyner—SB 882, SB 1634; Sachs—CS for SB 1598; Sobel—CS for CS for SB 328, CS for SB 444, SB 704, CS for SB 778, SB 936, CS for SB 1076,

CS for SB 1240, CS for SB 1660; Soto—CS for CS for SB 52, SB 882; Stargel—CS for SB 164, CS for SB 1126

Senator Abruzzo withdrew as co-introducer of SB 1684.

SENATE PAGES

April 1-5, 2013

Meredith Abberger, New Port Richey; José Barajas, Tallahassee; Abigail Creighton, Largo; Andres De LaFe, Hialeah; Enandi Diamond, Jacksonville; Isabella Ganthier, Lake Placid; Alex Gonzales, Miami; Benjamin Harger, Hosford; Paige Highstone, Palm City; Jonathan Howard, Plantation; Ryan Payton, Tallahassee; Brian Penn, Wesley Chapel; Franco Rivera, Kissimmee; Quentin Ward, Niceville



Journal of the Senate

Number 9—Regular Session

Thursday, April 4, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 2:00 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

PRAYER

The following prayer was offered by Chaplain Robert Jakoby, Director of Pastoral Care Services, Baptist Health South Florida, Miami:

Almighty God, maker of heaven and earth and all living things, we bow before you in humble adoration, not just for the many blessings you give, but for who you are. Thank you for your love, your grace, and your mercy. God, you know us intimately: our strengths, our weaknesses, our accomplishments, and our failures, but continue to love us anyway.

Most Holy God, we come before you confessing that you and you alone are God. In our humanness, we sometimes go our own way doing our own thing, forgetting about you. Please forgive us our failures and give us a heart of obedience to love you more. Thank you for holding us accountable for our actions. In so doing, we realize our need for you. Help us see people, all people, through your eyes with the same love and forgiveness you give to us. We covet your wisdom and guidance in our lives.

Loving God, I thank you for each Senator and Senator's family. I ask you, dear Lord, to give the Senators discernment and knowledge as they face many challenging decisions during these sessions. Encourage,

strengthen, and support each one in doing the right thing—the right thing in honoring you and as they serve the people of the great State of Florida. Grant them your blessings and peace even in the difficult times.

Out of my faith tradition, in Christ's name, Amen.

PLEDGE

Senate Pages Isabella Ganthier of Lake Placid; Abigail Creighton of Largo; Quentin Ward of Niceville; José Barajas of Tallahassee; and Meredith Abberger of New Port Richey led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL PERFORMANCE

At the request of Senator Margolis, the President introduced Alexandra Muiños and Roberto Garcia Fernandez, who sang the National Anthem, *The Star Spangled Banner*, in celebration of Miami-Dade County Days and University of Florida Gator Day at the Florida Capitol. Alexandra and Roberto are students at the New World School of the Arts in Miami and proud members of Gator Nation.

DOCTOR OF THE DAY

The President recognized Dr. Ronald Hartsfield of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Hartsfield specializes in Internal Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Hays—

By Senator Hays—

SR 1782—A resolution recognizing April 4, 2013, as “Guardian ad Litem Day” in Florida.

WHEREAS, the guardian ad litem program represents the best interests of abused and neglected children involved in dependency court proceedings, and

WHEREAS, more than 9,000 dedicated and talented Floridians serve as volunteers for the guardian ad litem program, and

WHEREAS, studies show that children who have a volunteer guardian ad litem receive more services and are half as likely to return to foster care, and

WHEREAS, not only do guardian ad litem volunteers advocate for a child's best interest, but they also serve as educational advocates and mentors, and

WHEREAS, for more than 30 years, the guardian ad litem program has enhanced Florida communities through public and private partnerships that allowed the program to expand, and

WHEREAS, the guardian ad litem program received the 2012 Prudential-Davis Productivity Eagle Award which recognized it as a leader among public agencies in productivity and for saving money for Florida taxpayers and businesses, and

WHEREAS, the guardian ad litem program strives to achieve permanency for children in the dependency system, and was recognized by the Congressional Coalition on Adoption Institute with its Angels in Adoption Award for excellence in finding “forever families” for children in the foster care system, and

WHEREAS, Florida Trend called the program, “. . . an elegant combination of effectiveness and accountability, of individuals joining hands with government to give a voice to innocent kids who are suffering through no fault of their own,” NOW, THEREFORE,

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

That we extend thanks and best wishes to all who serve as guardians ad litem and recognize April 4, 2013, as “Guardian ad Litem Day” in Florida.

—was introduced out of order and read by title. On motion by Senator Hays, **SR 1782** was read the second time by title and adopted.

On motion by Senator Margolis—

By Senator Margolis—

SR 1820—A resolution recognizing April 3 and 4, 2013, as “Miami-Dade County Days at the Capitol” and celebrating the 25th anniversary of this event.

WHEREAS, greater Miami-Dade County contains thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and binational chambers of commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the film and music industries have made Miami-Dade County one of the largest entertainment production centers in the nation, and

WHEREAS, agriculture continues to provide millions of dollars annually in economic activity to Miami-Dade County, and the agricultural industry has diversified in such a manner that Miami-Dade County is now one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also a key industry in Miami-Dade County, with thousands of companies employing tens of thousands of individuals in manufacturing jobs, and

WHEREAS, Miami-Dade County is currently experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, visual arts, and various festivals and special events, and

WHEREAS, the Miami-Dade County community is a microcosm of the world in which scores of countries are represented and diverse languages are spoken daily, and

WHEREAS, 25 years ago, the late Representative John F. Cosgrove, as chairperson of the former Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

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

That the Florida Senate recognizes April 3 and 4, 2013, as “Miami-Dade County Days at the Capitol” and celebrates the 25th anniversary of this event.

—was introduced out of order and read by title. On motion by Senator Margolis, **SR 1820** was read the second time by title and adopted.

At the request of Senator Thompson—

By Senator Thompson—

SR 340—A resolution celebrating the life of Mother Carrie Mae Muse Lawson.

WHEREAS, Carrie Mae Muse was born on September 27, 1928, to the late Lucille Ray Muse and Ed Muse in Midway, and

WHEREAS, Carrie May Muse graduated from Midway High School and went on to attend Florida Agricultural and Mechanical University, where she received technical training in the culinary arts, and

WHEREAS, Carrie Mae Muse met and married the love of her life, Alfred J. Lawson, Sr., and, together, they raised six children in a home that emphasized the importance of family, community, and education, and

WHEREAS, after her conversion at an early age at the St. Luke Primitive Baptist Church in Midway, Carrie Mae Muse Lawson continually pursued a deeper knowledge of scripture, joining St. John Primitive Baptist Church, where she served on the Mother’s Board and was president of the junior choir and, later, the Midway Church of God in Christ, and

WHEREAS, Carrie Mae Muse Lawson is remembered as “The Songbird” at the Midway Church of God in Christ, where she served on the Mother’s and Missionary Boards, sang in the E.L. Sheppard Memorial Choir, and served as the president of the usher board for the Big Bend District, and

WHEREAS, Carrie Mae Muse Lawson was an avid civic worker, serving as a poll worker in many elections and coordinating the annual Midway Day Celebration, and

WHEREAS, Carrie Mae Muse Lawson was a proud and devoted mother and grandmother and is survived by her daughters, Sandra Lawson, Verla Lawson-Grady, and Angela Martin; her sons, Alfred, Arthur, and Kelvin Lawson; and 11 grandchildren, NOW, THEREFORE,

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

That we celebrate the life well lived of Carrie Mae Muse Lawson and extend our deepest sympathy to her beloved family and host of friends.

—**SR 340** was introduced, read and adopted by publication.

At the request of Senator Dean—

By Senators Dean and Soto—

SR 1788—A resolution recognizing April 2013 as “Springs Protection Awareness Month” in Florida.

WHEREAS, Florida’s springs are essential to the environment, economy, and citizens of, and visitors to, this state, and

WHEREAS, Florida has one of the most productive aquifers in the world, which supports more than 700 natural springs, giving this state the world’s highest concentration of springs, and

WHEREAS, more than 93 percent of Florida residents rely on the groundwater supply and its vitality to the state’s economy, and

WHEREAS, springs are a natural resource that must be protected, as they reflect groundwater conditions and provide an important habitat for wildlife and listed species, and

WHEREAS, springs provide important recreation resources and opportunities that are enjoyed by citizens and visitors alike, and

WHEREAS, Florida’s springs discharge more than 8 billion gallons of water each day, which is essential for sustaining spring runs and associated receiving water bodies, and

WHEREAS, healthy springs reflect the State of Florida's commitment to sustainable ground and surface water resource protection, NOW, THEREFORE,

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

That April 2013 is recognized as "Springs Protection Awareness Month" in Florida, and all levels of government are encouraged to support springs protection, restoration, and preservation awareness.

—**SR 1788** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1794—A resolution recognizing April 4, 2013, as "The Links, Incorporated, Day" at the Capitol and applauding the organization's efforts to create a better quality of life for the children of this state.

WHEREAS, The Links, Incorporated, with its mission and purpose of friendship through community service, is composed of more than 12,000 members, located in 41 states, the District of Columbia, and the Commonwealth of the Bahamas, and

WHEREAS, members of The Links, Incorporated, are women of African ancestry who are well educated, highly skilled and trained, and capable of assisting others in overcoming adverse conditions and fostering remedies that are critical to the advancement of our communities and the advancement of our youths into professional areas such as science, technology, education, and mathematics (STEM) education and its effect on African-American youth, and

WHEREAS, working through its five functional facets, International Trends and Services, National Trends and Services, The Arts, Services to Youth, and Health and Human Services, The Links, Incorporated, relies heavily on the expertise of its professional members, including computer analysts, engineers, scientists, statisticians, and educators, who work in collaboration with other specialists to have a greater impact on society through relevant and creative initiatives, and

WHEREAS, The Links, Incorporated, will promote STEM activities and programs in an effort to close the achievement gap for minority children by targeting pre-K through college classrooms, encouraging and preparing students to attend colleges and universities that have STEM programs, exposing students to STEM-related careers, and equipping students with the skills to compete and excel in a global workforce that increasingly relies on individuals with STEM-related proficiencies, and

WHEREAS, a host of "Links" representing the Southern Area of the organization have converged on the Capitol from throughout the state to show their solidarity and support of STEM education through the arts and mentoring, NOW, THEREFORE,

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

That the Senate welcomes members of The Links, Incorporated, from the Southern Area, applauds their passion for STEM education career readiness initiatives, mentoring our youth, and eradicating childhood obesity and recognizes April 4, 2013, as "The Links, Incorporated, Day" at the Capitol.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Eneid A. Francis, Southern Area Director of The Links, Incorporated, as a tangible token of the sentiments expressed in this resolution.

—**SR 1794** was introduced, read and adopted by publication.

At the request of Senator Hays—

By Senator Hays—

SR 1804—A resolution recognizing master craftsman Jeff Penuel for his painstaking restoration of the Carr Family Cabin in the Ocala National Forest.

WHEREAS, the Carr Family Cabin is a historically significant structure located on 46 acres of wild land donated to the Ocala National Forest in 2007 by Tom Carr, and

WHEREAS, the Carr Family Cabin was built 74 years ago by a local Florida Cracker craftsman, using the Carr family as his labor, and

WHEREAS, the Carr Family Cabin was the location where Tom Carr's brother, Archie, a famous naturalist, was introduced to Florida's wild lands, setting the stage for his lifetime commitment to this state's ecological conservation and the global plight of vanishing sea turtle populations, and

WHEREAS, the Carr Family Cabin is often compared to naturalists Henry David Thoreau's Walden, Aldo Leopold's "shack," and Marjorie Kinnan Rawlings' Cross Creek, and

WHEREAS, in 2007, with the Carr Family Cabin in imminent danger of collapse, the United States Forest Service commissioned the exterior bracing of the disintegrating structure, contracting with local custom-home builder Jeff Penuel, himself a direct descendent of Florida Crackers, and

WHEREAS, in 2008, the Carr Family Cabin was determined eligible for listing on the National Register of Historic Places, and

WHEREAS, with the Carr Family Cabin braced, the United States Forest Service formed a partnership with the Umatilla Historical Society which gave birth to the Friends of Carr Cabin, and under the umbrella of the organization's tax exempt status, funds were raised to restore the cabin, and

WHEREAS, the Friends of Carr Cabin once again turned to Jeff Penuel, who, over the course of the next 4 years, lovingly and painstakingly restored the structure, donating significant time and resources to bring the project to completion, and

WHEREAS, in 2012, the Society for History in the Federal Government awarded the Carr Cabin Restoration Project the distinguished John Wesley Powell Prize for outstanding achievement in historic preservation, and

WHEREAS, the restoration of the Carr Family Cabin is testimony to Florida Cracker determination and the power of community partnerships, NOW, THEREFORE,

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

That we recognize master craftsman Jeff Penuel for his painstaking restoration of the Carr Family Cabin in the Ocala National Forest.

—**SR 1804** was introduced, read and adopted by publication.

At the request of Senator Thompson—

By Senator Thompson—

SR 1812—A resolution recognizing Alpha Kappa Alpha Sorority, Inc., for its worldwide service.

WHEREAS, Alpha Kappa Alpha Sorority, Inc., was founded in 1908 at Howard University in Washington, D.C., the first sorority established by African-American college women, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is an international organization with many chapters located in communities and on college and university campuses in this State, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to community service and has made numerous contributions to the educational, civic, and social lives of the people of this State, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., continues its support of the international program "Empowering Communities with Global Leadership through Timeless Service," and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has implemented an action plan that includes the creation of grassroots campaigns to work

with local communities to educate and raise awareness regarding human trafficking, and the members of Alpha Kappa Alpha Sorority, Inc., advocate the adoption of laws at the local, state, and federal levels which seek to prevent human trafficking by strengthening the penalties for this heinous offense, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has partnered with several advocacy groups, including the Eunice Kennedy Shriver National Institute of Child Health and Human Development, regarding an Asthma Prevention and Management Initiative to encourage early diagnosis and treatment of this condition, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to addressing health and economic disparities and has given significant donations to Heifer International to assist in eradicating global poverty and has supported the American Cancer Society to positively impact cancer prevention, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., through International President Carolyn House Stewart, strongly supports voter empowerment through voter registration and education and the mobilization of voting communities, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has encouraged its undergraduates to promote a ban on driving while using electronic devices through its “Distracted Driver Awareness Program,” a signature program under the Sorority’s health initiative, embraced under the new administration’s theme of “Global Leadership through Timeless Service,” and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., promotes education to eradicate poverty and poor health and offers various afterschool workshops, seminars, health forums, and tutorials for underprivileged children and is an advocate for adequate funding for early childhood, secondary, and postsecondary education, and

WHEREAS, South Atlantic Regional Director Marsha Lewis Brown leads the membership of this great sisterhood in Florida, Georgia, and South Carolina, and

WHEREAS, members of Alpha Kappa Alpha Sorority, Inc., in this State contribute thousands of volunteer hours implementing service programs in their respective communities, NOW, THEREFORE,

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

That we recognize Alpha Kappa Alpha Sorority, Inc., for its worldwide service.

—**SR 1812** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1822—A resolution acknowledging the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizing April 7-9, 2013, as the 19th annual “Delta Days at the Florida Capitol.”

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization founded on January 13, 1913, by 22 illustrious collegiate women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of Delta Sigma Theta Sorority, Inc., was its participation in the Women’s Suffrage Movement, demanding rights for women, particularly the right to vote, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority’s mission through its Five-Point Program Thrust: economic development, educational development, physical and mental health, political awareness and involvement, and international awareness and involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., recently celebrated 100 years of commendable service and support to local communities, leading dialogue on public policy issues, supporting quality education, producing

new projects to stimulate current and future economic growth, and improving the holistic well-being of minority populations internationally, and

WHEREAS, with more than 250,000 college-educated women initiated and more than 950 chapters worldwide, 52 of which are located in Florida and the Bahamas, members of Delta Sigma Theta Sorority, Inc., are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 18 years, the Florida chapters of Delta Sigma Theta Sorority, Inc., have conducted “Delta Days at the Florida Capitol,” providing information to state legislators and members of the executive branch which is vital to developing public policy; hosting a reception for state legislators and members of the executive branch; and monitoring the progress of pending legislation related to significant public policy issues, and

WHEREAS, on April 7-9, 2013, under the leadership of Southern Regional Director Cheryl W. Turner and Southern Regional Representative Manica Pierrette, members of the 52 chapters of Delta Sigma Theta Sorority, Inc., now serving Florida and the Bahamas will converge in Tallahassee to participate in the 19th annual “Delta Days at the Florida Capitol,” celebrating the theme “A Century in Service: Advocacy in Action,” and

WHEREAS, the members of Delta Sigma Theta Sorority, Inc., will provide special recognition at the Seventh Annual Honorable Carrie P. Meek Servant Leadership Luncheon of the late and honorable Yvonne Kennedy, past national president of Delta Sigma Theta Sorority, Inc., and the late soror Mercedese R. Clarke, a former “Delta Days at the Florida Capitol” committee member, both of whom blazed trails in social advocacy and public service, and

WHEREAS, Senators Audrey Gibson and Arthenia L. Joyner and Representative Gwyndolen Clarke-Reed are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

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

That the Florida Senate commends the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizes April 7-9, 2013, as the 19th annual “Delta Days at the Florida Capitol.”

—**SR 1822** was introduced, read and adopted by publication.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz April 4, 2013
President, The Florida Senate

Dear President Gaetz:

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>	
Board of Architecture and Interior Design Appointee: Ehrig, John P.	10/31/2015
Florida Board of Auctioneers Appointees: Dietrich, Hugh Fred III Shearer, Donald L.	10/31/2014 10/31/2013
Barbers’ Board Appointees: Gilbert, William B. Raines, Andrew J. Vaughn, Thomas “Tommy” E.	10/31/2014 10/31/2013 10/31/2014
Florida State Boxing Commission Appointees: DeSisto, Antonius “Tony” M. Kearney, Wayne W. Williams, Mark M.	09/30/2015 09/30/2015 09/30/2014

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board		Fiorillo, Anthony Joseph	10/31/2014
Appointees: Bolduc, Timothy J.	10/31/2015	Garcia de Quevedo, Nola A.	10/31/2014
Carpenter, Dennis J.	10/31/2013	Rambo-Roddenberry, Michelle D.	10/31/2013
Gathright, Richard	10/31/2014	Todd, Kenneth S., Jr.	10/31/2015
Holmes, Rex E.	10/31/2015	Wohlfarth, Richard C.	10/31/2013
McCormick, Robert S.	10/31/2013	Board of Funeral, Cemetery, and Consumer Services	
Florida Building Commission		Appointee: Mueller, Richard L.	09/30/2015
Appointees: Boyer, Robert G.	07/26/2015	Board of Professional Geologists	
Browdy, Richard S.	10/13/2015	Appointee: Bush, Louie G.	10/31/2014
Calleja, Oscar L.	02/03/2015	Board of Hearing Aid Specialists	
Flanagan, Kevin M.	01/30/2015	Appointees: Hollern, Thomas M.	10/31/2013
Frank, Charles L.	03/11/2017	Polhill, Leanne E.	10/31/2016
Gross, Jeffery	11/21/2015	Higher Educational Facilities Financing Authority	
Schiffer, Brad	08/11/2015	Appointee: Kirtley, William T.	01/17/2015
Schock, James R.	01/12/2015	Board of Trustees of South Lake County Hospital District	
Stone, Jeffrey B.	07/27/2015	Appointees: Ballesteros, Tomas J.	07/05/2015
Swope, Brian	05/01/2015	Binney, Curtis A.	07/05/2013
Florida Citrus Commission		Kesselring, Kasey C.	07/05/2013
Appointees: Clark, J. A. III	06/30/2013	Rountree, Paul B.	07/05/2013
Garavaglia, Michael J., Jr.	06/30/2013	Smith, Linda J.	07/05/2015
Haycock, Michael W.	05/31/2015	Florida Commission on Human Relations	
Hollingsworth, Vernon C. III	05/31/2015	Appointees: Fajardo-Garcia, Onelia	09/30/2013
Horrisberger, James S.	05/31/2015	Keller, Michael G.	09/30/2014
Hunt, G. Ellis, Jr.	06/30/2014	Long, Michell J.	09/30/2015
McKenna, Martin J.	06/30/2014	Singer, Gilbert M.	09/30/2014
Pena, Virginia S.	06/30/2014	Valle, Mario	09/30/2015
Taylor, Michael O.	06/30/2013	Commission for Independent Education	
Hillsborough County Civil Service Board		Appointees: Crocitto, Peter F., Jr.	06/30/2013
Appointees: Canasi, Simon M.	07/02/2015	Perez, Ernesto	06/30/2014
Perotti, Albert, Jr.	07/02/2015	Williams, Levi G., Jr.	06/30/2014
Strepina, Scott D.	07/02/2013	Florida Inland Navigation District	
Trichler, Ernie E. II	07/02/2015	Appointees: Bowman, Aaron L.	01/09/2015
Florida Commission on Community Service		Crowley, T. Spencer	01/09/2015
Appointees: Croteau, James M.	09/14/2015	Kavanagh, Gail	01/09/2015
Landman Gonzalez, Linda	09/14/2014	Sansom, Jerry H.	01/09/2015
Nappo, Frank L.	09/14/2015	Juvenile Welfare Board of Pinellas County	
Quiggle, Justin	09/14/2013	Appointees: Aungst, Brian J., Jr.	08/07/2014
Construction Industry Licensing Board		Edmonds, Maria N.	08/11/2016
Appointees: Boyette, Aaron L.	10/31/2015	Neri, Raymond H.	08/07/2016
Cobb, Christopher M.	10/31/2013	Rouson, Angela	08/11/2014
Watts, Jacqueline A.	10/31/2016	Sewell, James D.	08/11/2014
Young, Kristin Beall	10/31/2016	Board of Massage Therapy	
Board of Cosmetology		Appointees: Ford, Karen Goff	10/31/2015
Appointee: Wilhoite, Suzanne C.	10/31/2014	Tuttle, Robert F.	10/31/2016
Board of Trustees for the Florida School for the Deaf and the Blind		Board of Medicine	
Appointees: Weedon, Gerald W.	11/14/2014	Appointees: Averhoff, Magdalena	10/31/2015
Zavelson, Thomas M.	11/07/2015	El Sanadi, Nabil	10/31/2014
Education Practices Commission		Lage, Onelia G.	10/31/2014
Appointees: Bondurant, Pamela M.	09/30/2016	National Conference of Commissioners on Uniform State Laws	
Lee, David C.	08/18/2016	Appointees: Braccialarghe, Randolph	06/05/2015
Presha, Bernard Jerome	08/18/2016	Conti, Louis T. M.	06/05/2015
Schneider, Chad David	09/30/2014	Weidner, Donald J.	06/05/2015
Strauss, Mark S.	09/30/2015	Board of Optometry	
Thompson, David R.	08/18/2016	Appointees: King, Christopher	10/31/2015
Electrical Contractors' Licensing Board		McNaughton, Rosa N.	10/31/2013
Appointees: Botknecht, David H.	10/31/2013	Naberhaus, Terrance W.	10/31/2014
Chinchor, Timothy Z.	10/31/2014	Board of Osteopathic Medicine	
Sandefer, Paul W.	10/31/2013	Appointees: Bellingar, Bridget	10/31/2015
Board of Employee Leasing Companies		Burns, Ronald R.	10/31/2014
Appointees: Arfons, David E.	10/31/2014	Rose, Joel B.	10/31/2014
DiMascio, Suzette	10/31/2016	Board of Professional Engineers	
Board of Professional Engineers		Appointees: Bracken, William C.	10/31/2015

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Pharmacy	Appointee: Meshad, Gavin W.	10/31/2013
Board of Pilot Commissioners	Appointees: Fox, John P. Swindell, Robert C.	10/31/2015 10/31/2014
Board of Podiatric Medicine	Appointees: Evans, Chester A. Morris, Robert Parker	10/31/2016 10/31/2013
Tampa Port Authority	Appointee: Allman, Patrick H. III	02/06/2014
Florida Prepaid College Board	Appointee: O'Drobinak, Liana	06/30/2013
Board of Psychology	Appointee: Aufderheide, Dean H.	10/31/2016
Public Employees Relations Commission	Appointee: Poole, Donna Maggert	01/01/2014
Chair, Public Employees Relations Commission	Appointee: Hogan, Mike	01/01/2016
Florida Real Estate Appraisal Board	Appointees: Herndon, Joni L. Ketcham, Clayton "Clay" Blane Oreto, Evalyn F. Pechillo, Roy A. Rogers, Michael J. Sante, Chris	10/31/2013 10/31/2014 10/31/2015 10/31/2015 10/31/2014 10/31/2013
Florida Real Estate Commission	Appointees: Enzor, Roger P. Hornsleth, Poul Podolsky, William J. III	10/31/2015 10/31/2014 10/31/2014
Apalachee Regional Planning Council, Region 2	Appointees: Hammond, Michael L. Layman, Kelly A.	10/01/2013 10/01/2013
Tampa Bay Regional Planning Council, Region 8	Appointees: Nunez, Andres E., Jr. Schock, Timothy E. Todd, Barbara Sheen	10/01/2015 10/01/2013 10/01/2013
Southwest Florida Regional Planning Council, Region 9	Appointees: Holquist, Laura A. Reynolds, Alan D.	10/01/2013 10/01/2014
Treasure Coast Regional Planning Council, Region 10	Appointee: Sachs, Peter S.	10/01/2013
South Florida Regional Planning Council, Region 11	Appointees: Asseff, Patricia T. Wallace, Paul R.	10/01/2013 10/01/2015
Board of Professional Surveyors and Mappers	Appointees: Conkling, Frank James Ehmke, Howard J. II Fusco, Nickolas R. Grubbs, O. George Hill, Deborah J. Krick, Gary B. Mastronicola, Arthur A., Jr. Petzold, Robin B. Talbot, Patrick	10/31/2013 10/31/2016 10/31/2016 10/31/2014 10/31/2015 10/31/2014 10/31/2013 10/31/2014 10/31/2013
Board of Veterinary Medicine	Appointee: O'Neil, Robert E.	10/31/2014

Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
State Board of Education	Appointee: Bradshaw, Sara "Sally" S.	12/31/2013

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation 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 Ending</i>
Environmental Regulation Commission	Appointees: Bauer, Michael R. Gelber, Adam R. Joyce, Joseph C. Montoya, Herbert William Roth, Cari L.	07/01/2013 07/01/2015 07/01/2015 07/01/2015 07/01/2013
Fish and Wildlife Conservation Commission	Appointee: Roberts, Charles W. III	08/01/2016
Governing Board of the Suwannee River Water Management District	Appointees: Brown, Kevin W. Cole, George M. Curtis, Donald Raymond "Ray" III Jones, Gary F. Quincey, Donald "Don"	03/01/2015 03/01/2015 03/01/2015 03/01/2016 03/01/2016

The following executive appointments were referred to the Senate Committee on Transportation 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 Ending</i>
Tampa-Hillsborough County Expressway Authority	Appointee: Diaco, Stephen C.	07/01/2014
Florida Transportation Commission	Appointees: Ellington, Donald L. Frazier, Susan Katherine Kigel, Beth R. Trumbull, Jay N.	09/30/2013 09/30/2015 09/30/2015 09/30/2015

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Jack Latvala, Chairman

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

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and

The vote was:

Nays—None

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

DISCLOSURE

I, Maria Lorts Sachs, hereby disclose that on April 4, 2013, a measure will come before the Florida Senate which inures to the special gain or loss of my relative, Peter Sachs. The measure before the Florida Senate and the nature of my conflicting interest in the measure is as follows: my husband, Peter Sachs, is up for confirmation for appointment to the Treasure Coast Planning Council, Region 10.

Senator Maria Lorts Sachs, 34th District

BILLS ON THIRD READING

SB 352—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 352**, on motion by Senator Hays, by two-thirds vote **HB 209** was withdrawn from the Committees on Education; and Appropriations.

On motion by Senator Hays, by two-thirds vote—

HB 209—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—a companion measure, was substituted for **SB 352** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **HB 209** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

CS for SB 322—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 322**, on motion by Senator Brandes, by two-thirds vote **CS for HB 179** was withdrawn from the Committees on Judiciary; Community Affairs; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

CS for HB 179—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—a companion measure, was substituted for **CS for SB 322** and read the second time by title.

On motion by Senator Brandes, by two-thirds vote **CS for HB 179** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 328—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; amending s. 473.313, F.S.; revising license delinquency dates; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 328** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Clemens	Gibson
Abruzzo	Dean	Grimsley
Altman	Detert	Hays
Bean	Diaz de la Portilla	Hukill
Benacquisto	Evers	Joyner
Bradley	Flores	Latvala
Brandes	Galvano	Lee
Braynon	Garcia	Legg

Margolis	Sachs	Soto
Montford	Simmons	Stargel
Negron	Simpson	Thompson
Richter	Smith	Thrasher
Ring	Sobel	

Nays—None

SB 244—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **SB 244** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

INTRODUCTION OF FORMER SENATORS

The President introduced former Senator Charlie Justice who was present in the chamber.

CS for CS for SB 278—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral

ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 278**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 239** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Richter, by two-thirds vote—

CS for CS for HB 239—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the

term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 278** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for CS for HB 239** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

INTRODUCTION OF FORMER SENATORS

Senator Richter introduced former Senator and President Pro Tempore Michael S. “Mike” Bennett who was present in the chamber.

SB 558—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 558** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 298—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for SB 298** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Thrasher

CS for SB 592—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising “Notice to Defendant” provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiff’s or the garnishee’s attorney; extending the time allowed for the plaintiff or the plaintiff’s attorney to respond to the defendant’s claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff’s attorney when the plaintiff’s attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

—was read the third time by title.

Senator Galvano moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (928144) (with title amendment)—Before line 25 insert:

Section 1. Section 77.04, Florida Statutes, is amended to read:

77.04 Writ; form.—The writ shall require the garnishee to serve an answer ~~to it~~ on the plaintiff within 20 days after service of the writ stating whether the garnishee ~~he or she~~ is indebted to the defendant at the time of the answer, or was indebted at the time of service of the writ, plus up to ~~sufficient time not to exceed~~ 1 business day for the garnishee to act expeditiously on the writ, or at any time between such times; ~~and~~ in what sum and what tangible or intangible personal property of defendant the garnishee has in his or her possession or control at the time of his or her answer, or had at the time of the service of the writ, or at any time between such times; and whether the garnishee knows of any other person indebted to defendant, or who may have any of the property of defendant in his or her possession or control. The writ shall state the amount named in plaintiff’s motion. *If the garnishee is a business entity,*

an authorized employee or agent of the entity may execute, file, and serve the answer on behalf of the entity.

And the title is amended as follows:

Delete line 2 and insert: An act relating to garnishment; amending s. 77.04, F.S.; authorizing an employee or agent of a business entity to answer a writ of garnishment on behalf of the entity; amending s. 77.041,

On motion by Senator Galvano, **CS for SB 592** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 628—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **SB 628** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 492—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; providing for retroactive application; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveator to be served with formal notice of its own petition for

administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator’s date of death or the last four digits of the testator’s social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 492** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 230—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **SB 230** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Thrasher

Nays—None

SB 954—A bill to be entitled An act relating to the Technological Research and Development Authority; amending s. 320.08058, F.S.; deleting provisions for distribution by the Department of Highway Safety and Motor Vehicles to the authority of Challenger/Columbia license plate user fees; conforming provisions; amending s. 379.2202, F.S.; deleting provisions for distribution by the Fish and Wildlife Conservation Commission to the authority of saltwater license and permit fees; amending s. 112.3148, F.S., relating to giving gifts to certain officers or candidates for office and to procurement employees; deleting reference to the authority; providing contingent effective dates.

—was read the third time by title.

On motion by Senator Gardiner, **SB 954** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Bradley

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **SB 954** provide a special private gain or loss to myself; the nature of the interest and the persons or entities involved are specified below:

I am employed by the Astronauts Memorial Foundation. **SB 954**, if passed, will result in the Astronauts Memorial Foundation receiving the full collection of annual fees resulting from the sale of Challenger/Columbia license plates, which will inure a special private gain or loss to both the Foundation and myself.

As established by Senate Rule, I may not vote on this matter.

Senator Thad Altman, 16th District

CS for CS for SB 166—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain

available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 166** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 120—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 120** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Joyner
Bean	Evers	Latvala
Benacquisto	Flores	Lee
Bradley	Galvano	Legg
Brandes	Garcia	Margolis
Braynon	Gardiner	Montford
Bullard	Gibson	Negron
Clemens	Grimsley	Richter

Ring	Smith	Thompson
Sachs	Sobel	Thrasher
Simmons	Soto	
Simpson	Stargel	

Nays—None

Nays—None

SB 452—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public records requirements for personal identifying information of a donor held in the Joshua Abbott Organ and Tissue Registry; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **SB 452** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 60—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 60** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

CS for SB 530—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the “Florida Arbitration Code” to the “Revised Florida Arbitration Code”; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s.

682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term “court” and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the revised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 731.401, F.S.; providing for application of the act to an arbitration provision in a will or trust; amending ss. 440.1926 and 489.1402, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Senator Latvala moved the following amendment:

Amendment 1 (614256)—Between lines 462 and 463 insert:

(4) Nothing in this section may be construed to affect commencing, maintaining, or certifying a claim or defense on behalf of a class or as a class action.

Senator Latvala moved the following substitute amendment which was adopted by two-thirds vote:

Amendment 2 (888408) (with title amendment)—Delete line 462 and insert: *consolidation. Nothing in this section is intended or shall be construed to affect commencing, maintaining, or certifying a claim or defense on behalf of a class or as a class action.*

And the title is amended as follows:

Delete line 41 and insert: *consolidation; prescribing limitations of the section; amending s. 682.04, F.S.; revising*

On motion by Senator Thrasher, **CS for SB 530** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for SB 530**, Dispute Resolution, and all filed amendments provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

While I do not believe I have a conflict, out of an abundance of caution, I hereby disclose that my spouse may represent one or more clients that may have an interest in this bill and/or amendments to this bill. My spouse is an attorney and bound by the confidentiality rules of the Florida Bar, pursuant to Rule 4-1.6 of the Rules Regulating The Florida Bar. Pursuant to a voluntary agreement between my spouse and myself, she does not discuss client positions with me, nor does she advocate to me regarding client positions.

As permitted by Senate Rule, I may vote on this matter.

Senator Greg Evers, 2nd District

CS for CS for SB 134—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; deleting a provision regarding a special meeting; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 134** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Smith

CS for SB 284—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circum-

stances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for SB 284** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 294—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; reenacting and amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; reenacting to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting s. 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for SB 294** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Detert	Joyner
Abruzzo	Diaz de la Portilla	Latvala
Altman	Evers	Lee
Bean	Flores	Legg
Benacquisto	Galvano	Margolis
Bradley	Garcia	Montford
Brandes	Gardiner	Negron
Braynon	Gibson	Richter
Bullard	Grimsley	Ring
Clemens	Hays	Sachs
Dean	Hukill	Simmons

Simpson	Soto	Thrasher
Smith	Stargel	
Sobel	Thompson	

Nays—None

SB 326—A bill to be entitled An act relating to the powers and duties of the Department of Environmental Protection; amending s. 253.7827, F.S.; removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing s. 253.783(2), F.S., relating to additional powers and duties of the department to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 326** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 338—A bill to be entitled An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **SB 338** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Detert

SB 342—A bill to be entitled An act relating to the rental of home-
stead property; amending s. 196.061, F.S.; revising criteria under which
rental of such property is allowed for tax exemption purposes and not
considered abandoned; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **SB 342** was passed and certified to
the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Bradley

CS for SB 354—A bill to be entitled An act relating to ad valorem tax
exemptions; amending s. 196.199, F.S.; providing that certain leasehold
interests and improvements to land owned by the United States, a
branch of the United States Armed Forces, or any agency or quasi-gov-
ernmental agency of the United States are exempt from ad valorem
taxation under specified circumstances; providing that such leasehold
interests and improvements are entitled to an exemption from ad va-
lorem taxation without an application being filed for the exemption or
the property appraiser approving the exemption; providing for retro-
active application; providing an effective date.

—was read the third time by title.

Senator Thrasher moved the following amendment which was adopted
by two-thirds vote:

Amendment 1 (607408)—Delete lines 48-50 and insert: *filed or
approved by the property appraiser.*

*a. This subparagraph applies only to leasehold interests and im-
provements used to provide housing for persons on active duty in the
military or their dependents. If portions of the property are used to pro-
vide housing to other persons, the exempt portion of the property is equal
to a fraction, the numerator of which is the number of residential units on
the property that are used by persons on active duty in the military or
their dependents and the denominator of which is the number of res-
idential units on the property.*

*b. This subparagraph does not apply to a transient public lodging
establishment as that term is defined in s. 509.013.*

On motion by Senator Thrasher, **CS for SB 354** as amended was
passed, ordered engrossed and certified to the House. The vote on pas-
sage was:

Yeas—40

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

CS for SB 364—A bill to be entitled An act relating to consumptive
use permits for development of alternative water supplies; amending s.
373.236, F.S.; revising conditions for issuance of permits; providing for
the issuance, extension, and review of permits approved on or after a
certain date; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 364** was passed and certified
to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 372—A bill to be entitled An act relating to vehicle
permits for the transportation of alcoholic beverages; amending s.
561.57, F.S.; authorizing a licensed vendor to transport alcoholic bev-
erages from a distributor's place of business in vehicles owned or leased
by any person who has been disclosed on a license application filed by the
vendor and approved by the Division of Alcoholic Beverages and Tobacco
of the Department and Business and Professional Regulation; revising
permit requirements for such vehicles; providing for cancellation of ve-
hicle permits; authorizing the inspection and search of such vehicles
without a search warrant; providing requirements for the use and sto-
rage of vehicle permits; amending s. 562.07, F.S.; revising an exception
to the illegal transportation of beverages; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 372** was passed and
certified to the House. The vote on passage was:

Yeas—40

Mr. President	Braynon	Flores
Abruzzo	Bullard	Galvano
Altman	Clemens	Garcia
Bean	Dean	Gardiner
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	Thrasher
Margolis	Simpson	
Montford	Smith	

Nays—None

CS for SB 422—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 422** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 422**.

CS for SB 434—A bill to be entitled An act relating to Brevard Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as “Eastern Florida State College”; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for SB 434** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gibson
Altman	Dean	Grimsley
Bean	Detert	Hays
Benacquisto	Diaz de la Portilla	Hukill
Bradley	Evers	Joyner
Brandes	Flores	Latvala
Braynon	Galvano	Legg

Margolis	Ring	Soto
Montford	Simmons	Stargel
Negron	Simpson	Thompson
Richter	Smith	Thrasher

Nays—None

Vote after roll call:

Yea—Sobel

SB 746—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 746**, on motion by Senator Stargel, by two-thirds vote **HB 7017** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Stargel, by two-thirds vote—

HB 7017—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s.

26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 746** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote **HB 7017** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 56—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and

implementation of a protocol for the medicolegal investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

—as amended March 27 was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (296380) (with title amendment)—Delete line 128 and insert: protocol for the forensic investigation of SUID ~~dealing with~~

And the title is amended as follows:

Delete line 19 and insert: implementation of a protocol for the forensic

On motion by Senator Hays, **CS for SB 56** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 718—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.075, F.S.; redefining the term “marital assets and liabilities” for purposes of equitable distribution in dissolution of marriage actions; providing that the term includes the paydown of principal of notes and mortgages secured by nonmarital real property and certain passive appreciation in such property under certain circumstances; providing formulas and guidelines for determining the amount of such passive appreciation; requiring security and interest relating to the installment payment of such assets; providing exceptions; permitting the court to provide written findings regarding any installment payments; amending s. 61.08, F.S.; defining terms; providing for the priority of bridge-the-gap alimony, followed by rehabilitative alimony, over any other form; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; providing for retirement of a party against whom alimony is sought; providing for imputation of income to the obligor or obligee in certain circumstances; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.13, F.S.; establishing a presumption that it is in the best interest of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing prospective applicability of the presumption; amending s. 61.14, F.S.; authorizing a

party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor's income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigates a petition for modification or termination of an alimony award; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that an obligor's subsequent remarriage or cohabitation is not a basis for modification of alimony; providing that income and assets of obligor's subsequent spouse or person with whom the obligor is residing are generally not relevant to modification; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for temporary orders necessary to protect the parties and their children; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing an exception; providing allowable dates for the modification of such awards; providing an effective date.

—as amended March 27 was read the third time by title.

Senator Stargel moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (858090)—Delete lines 193-202 and insert:

(c) *“Mid-term marriage” means a marriage having a duration of more than 11 years but less than 20 years, as measured from the date of marriage to the date of filing the petition for dissolution.*

(d) *“Net income” means net income as determined in accordance with s. 61.30.*

(e) *“Short term marriage” means a marriage having a duration equal to or less than 11 years, as measured from the date of the marriage to the date of filing the petition for dissolution.*

Amendment 2 (707718)—Delete lines 265-269 and insert: *the marriage.*

Senator Flores moved the following amendments which were adopted by two-thirds vote:

Amendment 3 (669750)—Delete lines 358-366 and insert: *need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony that may not exceed 25 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

Amendment 4 (760682)—Delete lines 370-378 and insert: *alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony that may not exceed 35 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

Amendment 5 (273702)—Delete lines 383-391 and insert: *If the court finds that the party against whom alimony is sought fails to meet its burden to demonstrate that there is no need for alimony and that the*

party has the ability to pay alimony, the court shall determine a monthly award of alimony which may not exceed 38 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.

Senator Flores moved the following amendment:

Amendment 6 (954208) (with title amendment)—Between lines 391 and 392 insert:

(d) *An award of rehabilitative alimony is not subject to the income limits set forth in paragraphs (8)(a), (8)(b), and (8)(c). However, the combination of an award of rehabilitative alimony and another form of alimony shall not exceed 40 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

And the title is amended as follows:

Delete line 33 and insert: *alimony; specifying criteria for awarding rehabilitative alimony; deleting a provision authorizing permanent*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Stargel moved the following substitute amendment which was adopted by two-thirds vote:

Amendment 7 (840834) (with title amendment)—Between lines 391 and 392 insert:

(d) *Notwithstanding subsections (8) and (9), the combination of an award of rehabilitative alimony and another form of alimony may be awarded up to a maximum of 40 percent of the obligor's gross monthly income during the temporary period in which rehabilitative alimony has been awarded, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

And the title is amended as follows:

Delete line 33 and insert: *alimony; specifying criteria for awarding rehabilitative alimony; deleting a provision authorizing permanent*

Senator Stargel moved the following amendment which was adopted by two-thirds vote:

Amendment 8 (586074)—Delete line 771 and insert: *61.08(3), unless the court makes findings of fact that a*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment:

Amendment 9 (126712) (with title amendment)—Delete lines 653-658 and insert: *upward and upon a showing by a preponderance of the evidence of permanently increased ability to pay alimony. Absent a finding of fraud, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 2 years, taking into account the obligor's ability to sustain his or her income.*

2. *An alimony order shall be modified downward upon a showing by a preponderance of the evidence of a permanently decreased ability to pay alimony. Absent a finding of fraud a decrease in an obligor's income may not be considered permanent in nature unless the decrease has been maintained without interruption for at least 2 years, taking into account the obligor's ability to sustain his or her income.*

And the title is amended as follows:

Delete line 48 and insert: to pay alimony by the other party; requiring an alimony order be modified downward under certain circumstances; prohibiting an

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following substitute amendment which was adopted by two-thirds vote:

Amendment 10 (633350)—Delete lines 653-658 and insert: *upward and upon a showing by a preponderance of the evidence of increased ability to pay alimony. Absent a finding of fraud, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 1 year, taking into account the obligor's ability to sustain his or her income.*

On motion by Senator Stargel, **CS for CS for SB 718** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Negron
Altman	Flores	Richter
Bean	Galvano	Sachs
Benacquisto	Garcia	Simmons
Bradley	Gardiner	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Soto
Dean	Latvala	Stargel
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—11

Abruzzo	Hukill	Ring
Bullard	Joyner	Sobel
Clemens	Margolis	Thompson
Gibson	Montford	

Vote after roll call:

Yea to Nay—Diaz de la Portilla

SPECIAL ORDER CALENDAR

On motion by Senator Flores—

CS for CS for SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term “school property”; providing an exception; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 86** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

CS for CS for SB 92—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 92** was placed on the calendar of Bills on Third Reading.

CS for SB 1030—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by drawing entrants; providing penalties; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; defining the term “department” as the Department of Agriculture and Consumer Services; revising definitions; prohibiting specified nonprofit organizations from operating a game promotion; providing conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by game promotion entrants; revising procedures for operation of a game promotion; providing for construction; providing that violations are deceptive and unfair trade practices; revising applicability provisions; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S.; providing definitions; revising and clarifying provisions relating to amusement games and machines; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—was read the second time by title.

Amendments were considered and failed to conform **CS for SB 1030** to **CS for HB 155**.

Pending further consideration of **CS for SB 1030**, on motion by Senator Thrasher, by two-thirds vote **CS for HB 155** was withdrawn from the Committees on Gaming; and Rules.

On motion by Senator Thrasher—

CS for HB 155— An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; revising definitions; providing that violations are deceptive and unfair trade practices; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S., relating to amusement games or machines; revising and providing definitions; revising provisions that exempt certain amusement games and centers from the application of specified provisions relating to gambling; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1030** and read the second time by title.

On motions by Senator Thrasher, by two-thirds vote **CS for HB 155** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—4

Abruzzo	Clemens	Ring
Sachs		

On motion by Senator Flores—

CS for CS for SB 1660—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop and periodically update performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications or notification of entities that are eligible for the award; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by a specified date, and annually thereafter, the status of implementing the award program; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; amending s. 381.922, F.S.; authorizing endowments under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at research institutions contingent upon an appropriation; providing procedures if the endowed chair becomes vacant; requiring that research institutions report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

—was read the second time by title.

Senator Flores moved the following amendments which were adopted:

Amendment 1 (758248) (with title amendment)—Delete lines 176 and 177 and insert: *in competitive cancer care solicitations undertaken by a state agency or state university.*

And the title is amended as follows:

Delete line 34 and insert: *competitive cancer care solicitations for a specified period of*

Amendment 2 (308738) (with title amendment)—Delete lines 212-250 and insert:

(4) In order to attract and retain experienced research talent and attendant national grant-producing researchers to integrated cancer research and care institutions in this state, the Department of Health shall award endowments to integrated cancer research and care institutions for establishing a funded research chair, pursuant to the General Appropriations Act specifying an appropriation for this purpose. The purpose of the endowment is to provide secure funding for at least 7 years to attract an experienced and promising researcher whose continued employment for this period is not contingent upon grant awards associated with time-limited research projects. In addition, the Legislature intends for a chair to specialize in a cancer-related research field that will facilitate coordination among research institutions within the state and attract other promising researchers and funding to the state.

(a) If it becomes necessary for an institution that has been granted an endowed chair to replace the researcher, the endowment must cease funding expenses associated with the endowed chair other than reasonable costs for recruitment until a replacement researcher has been retained. While the endowed chair is vacant, the endowment must continue to earn interest and all earnings must be added to the balance of the endowment. A vacancy tolls the 7-year timeframe for the endowed chair.

(b) An institution funded pursuant to this subsection shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that must, at a minimum, describe the research program and general responsibilities of the researcher who is to be selected for the endowed chair. Upon final selection of the research chair, or if it becomes necessary to replace a research chair, the institution shall notify the chair of the Appropriations Committee of the Senate and the chair of the Appropriations Committee of the House of Representatives of the research chair’s name, the endowment budget, and the specific research responsibilities. The institution shall annually report to the President of the Senate and the Speaker of the House of Representatives the research chair’s name, the amount of the endowment fund used for the chair’s salary, research responsibilities, the percentage of time

And the title is amended as follows:

Delete line 47 and insert: *research chairs at integrated research and care institutions contingent*

Pursuant to Rule 4.19, **CS for CS for SB 1660** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for SB 1762—A bill to be entitled An act relating to state technology; transferring, renumbering, and amending s. 14.204, F.S.; creating the Department of State Technology; providing for the organizational structure of the department; creating a Technology Advisory Council and providing for membership; amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; requiring the department to develop a long-range plan; providing the powers and duties of the department; amending s. 282.0056, F.S.; conforming provisions to changes made by the act; deleting the requirement that the department’s work plan be presented at a public hearing; expressly exempting certain entities from data center consolidation; creating s. 282.0057, F.S.; providing a schedule for the initiation of department information technology projects; specifying tasks to be approved and completed; repealing s. 282.201, relating to the state data center system; amending s. 282.203, F.S.; conforming provisions to changes made by the act; providing for future repeal; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing

s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services to the department, co-location services to the Department of Legal Services and the Department of Agriculture and Consumer Services, and host the Legislative Appropriations System/Planning and Budgeting Subsystem; providing for governance of the center; authorizing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center; amending s. 282.318, F.S.; conforming provisions to changes made by the act; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.604, 282.702, 282.703, 20.22, 110.205, 215.22, 215.322, 215.96, 216.292, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 445.011, 445.045, 668.50, and 1006.73, F.S.; conforming provisions to changes made by the act; transferring the personnel, functions, and funds of the Agency for Enterprise Information Technology to the Department of State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Department of State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the department; providing that the status of any employee positions transferred to the department is retained; providing an appropriation; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1762** was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for SB 1720—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction; revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; providing duties and responsibilities of an advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance and subject to appropriation; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; defining the term "developmental education" as it relates to public postsecondary education; amending s. 1004.43, F.S.; transferring oversight of the H. Lee Moffitt Cancer Center and Research Institute to the Board of Trustees of the University of South Florida; requiring the Board of Trustees to enter into a lease agreement for use of certain land and facilities; providing for the terms of the lease; requiring the University of South Florida and the Florida not-for-profit corporation that governs and operates the H. Lee Moffitt Cancer Center and Research Institute to enter into an agreement to review construction plans and specifications for consistency of certain criteria; revising the membership of the board of directors for the not-for-profit corporation; deleting the requirement that the Board of Governors provide for certain

approvals of the articles of incorporation of the not-for-profit corporation and use of land and facilities for certain purposes; requiring the not-for-profit corporation to cause to be prepared annual financial audits; requiring the not-for-profit corporation to provide equal employment opportunities; providing for the governance and operation of the facilities if the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida, rather than the Board of Governors, is terminated; requiring the chief executive officer to report annually to the Board of Governors on the educational activities of the not-for-profit corporation; providing for the creation and duties of an external advisory board; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and computation skills that are essential to perform college-level work; deleting a prohibition against a student's enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations of noncompliance with law or Board of Governors' rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending s. 1008.34, F.S.; revising the grading of middle schools and high schools to include added weight for students who participate and are enrolled in certain classes; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.;

excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming terminology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Montford moved the following amendment which was adopted:

Amendment 1 (510130) (with title amendment)—Delete lines 1392-1591.

And the title is amended as follows:

Delete lines 147-150 and insert: amending ss. 1008.37, 1009.22, and

Senator Galvano moved the following amendment which was adopted:

Amendment 2 (453070) (with title amendment)—Between lines 1757 and 1758 insert:

Section 29. *The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the terms "General Educational Development test" or "GED test" to "high school equivalency examination" and the terms "general education diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms appear in the Florida Statutes.*

And the title is amended as follows:

Delete line 178 and insert: providing a directive to the Division of Law Revision and Information; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1720** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, the rules were waived and time of adjournment was extended until 5:40 p.m., and the Special Order Calendar Group was granted permission to meet at 5:55 p.m.

On motion by Senator Legg—

CS for CS for SB 1076—A bill to be entitled An act relating to education; providing a short title; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center or a system of technical centers; providing for membership of the board; amending s. 1001.706, F.S.; revising the Board of Governors' strategic plan to include criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; amending s. 1002.3105, F.S.; adding attainment of industry certifications to the list of acceleration options available to public school students; amending s. 1003.41, F.S.; revising the core curricular content for mathematics and social studies within the Next Generation Sunshine State Standards; amending s. 1003.4156, F.S.; revising the requirements for the course in career and education planning which students in middle grades must successfully complete for promotion; amending s. 1003.4203, F.S.; requiring each district school board to make available digital materials for students in kindergarten through grade 12; revising the digital curriculum; authorizing the digital materials to be integrated into subject area curricula, offered as a separate course, or made available through other options; requiring the Department of Education to confirm that each school district has made available digital instructional materials for certain students with disabilities by a specified date; requiring the department to contract with technology companies or affiliated nonprofit organizations by a specified

date to develop a cyber security recognition and a digital arts and technology recognition; requiring that the recognitions be made available to all public elementary school students at no cost to the districts; requiring the department to contract by a specified date with technology companies to provide a digital tools certificate; requiring that the digital tools certificate be made available to all public middle school students at no cost to the school districts; providing legislative intent; requiring the department or a contracted company or companies to provide technical assistance to district school boards; providing criteria for the assistance; authorizing a district school board to seek partnerships with other school districts, private businesses, colleges, universities, or consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials and certifications; requiring the State Board of Education to adopt rules; amending s. 1003.428, F.S.; revising requirements for high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; requiring a school district to provide each student and parent information about diploma designations through an online education and career planning tool; requiring the State Board of Education to approve academic eligibility designations; requiring the State Board of Education to review academic eligibility designations and make recommendations to the Legislature; creating s. 1003.4286, F.S.; authorizing the Commissioner of Education to award a standard high school diploma to certain honorably discharged veterans; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4291, F.S.; providing requirements for accelerated high school graduation options; establishing an 18-credit requirement; providing course and assessment requirements; amending s. 1003.4295, F.S.; requiring the department to develop, the State Board of Education to approve, and each school district to provide alternative pathways of earning accelerated credit toward meeting general credit requirements for high school graduation; amending s. 1003.433, F.S.; deleting a provision that exempts students attending adult basic, adult secondary, or vocational-preparatory instruction from payment of certain fees and tuition; repealing s. 1003.4935(4), F.S., relating to the adoption of rules by the State Board of Education that identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certification Funding List and which are eligible for additional full-time equivalent membership; amending s. 1004.02, F.S.; revising definitions; creating s. 1004.082, F.S.; requiring the Chancellor of the State University System to cooperate with the Commissioner of Education to support the operation of programs to encourage talented secondary school students and students of physics or mathematics programs to pursue a postsecondary education at a state university; amending s. 1004.91, F.S.; providing requirements for basic skills for a career education program; requiring each school district and Florida College System institution that conducts programs that confer career and technical certificates to provide applied academics instruction through which students receive basic skills instruction; requiring certain students to be referred to applied academics instruction or another adult general education program for a structured program or basic skills instruction; revising the types of students who are exempt from completing the basic skills for a career education program; amending s. 1004.93, F.S.; requiring students who are entering adult general education programs to complete certain activities before a specified date in order to accelerate employment; providing for the development of the action-steps-to-employment activities; amending s. 1007.263, F.S.; conforming a provision to changes made by the act; amending s. 1007.271, F.S.; conforming a provision to changes made by the act; revising requirements for career dual enrollment programs to include the earning of an industry certification; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English language arts and mathematics; providing requirements for assessment scores, achievement levels, as-

assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; requiring each school district to establish a comprehensive plan for student progression which must provide instructional sequences for students in kindergarten through high school to progressively higher levels of competency in the use of digital tools; amending s. 1008.37, F.S.; conforming a provision to changes made by the act; creating s. 1008.44, F.S.; requiring the Department of Education to annually identify the Industry Certification Funding List; requiring the State Board of Education to adopt the Postsecondary Industry Certification Funding List; requiring the Commissioner of Education to recommend to the State Board of Education the Postsecondary Industry Certification Funding List; authorizing the commissioner to recommend adding certifications; requiring the Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the funding list; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance funding distributions to school districts and Florida College System institutions; requiring the chancellors to consider results of the economic security report of employment and earnings outcomes when recommending certifications for the list; requiring the commissioner to differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding under certain circumstances; requiring differentiated requirements to be included in the Industry Certification Funding List; amending ss. 1009.22 and 1009.25, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; revising the procedure for annual allocation of funds to each school district; revising the bonus funding for enrollment in advanced placement and International Baccalaureate courses; increasing the funding cap on funding associated with industry certifications; providing a performance bonus for teachers of specified subjects; revising the calculation of additional full-time equivalent membership based on certification of successful completion of a career-themed course and issuance of an industry certification; requiring that industry certification courses be reported and funded; requiring each school district to certify to the department each elementary school that achieves a certain percentage of student attainment of certain recognitions; authorizing bonus funding for middle schools where students earn the Florida Digital Tools Certificate; amending s. 1011.80, F.S.; deleting the performance output measure for a career program of study; providing that continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs; providing distribution and calculation of performance funding for school district workforce education programs; amending s. 1011.81, F.S.; providing for performance funding for industry certifications for Florida College System institutions; amending s. 1011.905, F.S.; revising requirements for performance funding for state universities; providing an effective date.

—was read the second time by title.

Senator Legg moved the following amendment which was adopted:

Amendment 1 (951478) (with title amendment)—Delete lines 220-550 and insert:

Section 1. Paragraph (g) is added to subsection (5) of section 1000.03, Florida Statutes, to read:

1000.03 Function, mission, and goals of the Florida K-20 education system.—

(5) The priorities of Florida's K-20 education system include:

(g) *Comprehensive K-20 career and education planning.*—It is essential that Florida's K-20 education system better prepare all students at every level for the transition from school to postsecondary education or work by providing information regarding:

1. *Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter each career.*

2. *How to make informed decisions about the program of study that best addresses the students' interests and abilities while preparing them to enter postsecondary education or the workforce.*

3. *Recommended coursework and programs that prepare students for success in their areas of interest and ability.*

This information shall be provided to students and parents through websites, handbooks, manuals, or other regularly provided communications.

Section 2. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) ~~“Sunshine State Standards” or the “Next Generation Sunshine State Standards” means the state’s public K-12 curricular standards, including common core standards in English Language Arts and mathematics, adopted under s. 1003.41. The term includes the Sunshine State Standards that are in place for a subject until the standards for that subject are replaced under s. 1003.41 by the Next Generation Sunshine State Standards.~~

Section 3. Subsection (26) of section 1001.42, Florida Statutes, is renumbered as subsection (27), and a new subsection (26) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(26) *TECHNICAL CENTER GOVERNING BOARD.*—May appoint a governing board for a school district technical center or a system of technical centers for the purpose of aligning the educational programs of the technical center with the needs of local businesses and responding quickly to the needs of local businesses for employees holding industry certifications. A technical center governing board shall be comprised of seven members, three of whom must be members of the district school board or their designees and four of whom must be local business leaders. The district school board shall delegate to the technical center governing board decisions regarding entrance requirements for students, curriculum, program development, budget and funding allocations, and the development with local businesses of partnership agreements and appropriate industry certifications in order to meet local and regional economic needs. A technical center governing board may approve only courses and programs that contain industry certifications. A course may be continued if at least 25 percent of the students enrolled in the course attain an industry certification. If fewer than 25 percent of the students enrolled in a course attain an industry certification, the course must be discontinued the following year.

Section 4. Paragraph (b) of subsection (1) of section 1002.3105, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options.—

(1) ACCEL OPTIONS.—

(b) At a minimum, each school must offer the following ACCEL options: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program under s. 1003.4295. Additional ACCEL options may include, but are not limited to, enriched science, technology, engineering, and mathematics (STEM) coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; rigorous industry certifications that are articulated to college credit and approved pursuant to ss. 1003.492 and 1008.44; work-related internships or apprenticeships; curriculum compacting; advanced-content instruction; and telescoping curriculum.

(5) *AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.*—A student who meets the requirements of s. 1003.4282(3)(a)-(e), earns three credits in electives, and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.

Section 5. Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the *Next Generation* Sunshine State Standards and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.428 or s. 1003.4282, s. 1003.429, or s. 1003.43.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term “relative” means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

Section 6. Paragraph (a) of subsection (3) and paragraph (b) of subsection (9) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. For a student in grades 9 through 12, a “full-time equivalent student” is one student who has successfully completed six full-credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student. Credit completed by a student in excess of the minimum required for that student for high school graduation is not eligible for funding.

2. For a student in kindergarten through grade 8, a “full-time equivalent student” is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.

3. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented~~, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted *if after the student does not pass completes* the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment *or for a student who enrolls in a segmented remedial course delivered online*.

For purposes of this paragraph, the calculation of “full-time equivalent student” shall be as prescribed in s. 1011.61(1)(c)1.b.(V).

(9)

(b) Public school students receiving part-time instruction by the Florida Virtual School in courses requiring statewide end-of-course assessments must take all statewide end-of-course assessments required pursuant to s. 1008.22 ~~s. 1008.22(3)(c)2~~.

Section 7. *Section 1002.375, Florida Statutes, is repealed.*

Section 8. Paragraph (b) of subsection (4) and paragraph (e) of subsection (7) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(4) CONTRACT REQUIREMENTS.—Each contract with an approved provider must at minimum:

(b) Provide a method for determining that a student has satisfied the requirements for graduation in s. 1003.428 *or s. 1003.4282, s. 1003.429, or s. 1003.43* if the contract is for the provision of a full-time virtual instruction program to students in grades 9 through 12.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

(e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented~~, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted *if after the student does not pass completes* the end-of-course assessment. *However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

Section 9. Paragraph (i) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

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

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

(i) Parental notification of acceleration options.—At the beginning of each school year, notify parents of students in or entering high school of the opportunity and benefits of advanced placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and Florida Virtual School courses and options for early ~~or accelerated high school~~ graduation *under s. ss. 1003.4281 and 1003.429*.

Section 10. Paragraph (c) of subsection (3) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(3) IMPLEMENTATION OPTIONS.—District school boards must consider, but are not limited to, implementing the following items in order to meet the constitutional class size maximums described in subsection (1):

(c)1. Repeal district school board policies that require students to *earn have* more than the 24 credits required *under s. 1003.428* to graduate from high school.

2. *Implement the early graduation option provided in s. 1003.4281. Adopt policies to allow students to graduate from high school as soon as they pass the grade 10 FCAT and complete the courses required for high school graduation.*

Section 11. Section 1003.41, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1003.41, F.S., for present text.)

1003.41 *Next Generation Sunshine State Standards.—*

(1) Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student’s core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade

level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Next Generation Sunshine State Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy. Financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction shall be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student loans and secured loans; banking and financial services; planning for one's financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption. In addition, the commissioner shall prepare an analysis of the costs associated with implementing a separate, one-half credit course in financial literacy, including estimated costs for instructional personnel, training, and the development or purchase of instructional materials. The commissioner shall work with one or more nonprofit organizations with proven expertise in the area of personal finance, consider free resources that can be utilized for instructional materials, and provide data on the implementation of such a course in other states. The commissioner shall provide the cost analysis to the President of the Senate and the Speaker of the House of Representatives by October 1, 2013.

(4) The State Board of Education shall adopt rules to administer this section.

Section 12. Section 1003.413, Florida Statutes, is repealed.

Section 13. Section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school Promotion from a school that includes ~~composed of~~ middle grades 6, 7, and 8, requires that:

(a) the student must successfully complete the following academic courses as follows:

(a)1- Three middle grades ~~school~~ or higher courses in English Language Arts (ELA). These courses shall emphasize literature, composition, and technical text.

(b)2- Three middle grades ~~school~~ or higher courses in mathematics. Each middle school that includes middle grades must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the statewide, standardized end-of-course (EOC) assessment or, upon transition to common core assessments, the common core Algebra I or geometry assessments required under s. 1008.22 s. ~~1008.22(3)(c)2.a.(4)~~. However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle grades ~~school~~ student must pass the Algebra I statewide, standardized end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle grades ~~school~~ student must take pass the statewide, standardized geometry end-of-course assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(c)3- Three middle grades ~~school~~ or higher courses in social studies; one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education required under s. 1008.22 constitutes 30 percent of the student's final course grade.

(d)4- Three middle grades ~~school~~ or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the statewide, standardized EOC end-of-course assessment required under s. 1008.22 s. ~~1008.22(3)(c)2.a.(4)~~. However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle grades ~~school~~ student must take pass the statewide, standardized Biology I EOC end-of-course assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(e)5- One course in career and education planning to be completed in 6th, 7th, or 8th grade. The course may be taught by any member of the instructional staff. At a minimum, the course must be Internet-based, easy to use, and customizable to each student and include research-based assessments to assist students in determining educational and career options and goals. In addition, the course; must result in a completed personalized academic and career plan for the student; must emphasize the importance of entrepreneurship skills; must emphasize technology or the application of technology in career fields; and, beginning in the 2014-2015 academic year, must include information from the Department of Economic Opportunity's economic security report as described in s. 445.07. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the diploma designation options provided under s. 1003.4285; high school assessment and college entrance test requirements; Florida Bright Futures Scholarship Program requirements; state university and Florida College System institution admission requirements; available opportunities to, and programs through which a high school student can earn college credit in high school, including Advanced Placement courses; the; International Baccalaureate Program; the; Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses, including academy and career-themed courses course opportunities, and courses that lead to national industry certification pursuant to s. 1003.492 or s. 1008.44.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades promotion. Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and profes-

sional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

~~(2)(b) If For each year in which a middle grades student scores at Level 1 or Level 2 on FCAT Reading or, when the state transitions to common core assessments on the English Language Arts assessments required under s. 1008.22, the following year the student must enroll be enrolled in and complete a remedial an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which remediation reading strategies are incorporated into course content delivery delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students performing reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A middle grades student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1 year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.~~

~~(3)(e) If For each year in which a middle grades student scores at Level 1 or Level 2 on FCAT Mathematics or, when the state transitions to common core assessments, on the mathematics common core assessments required under s. 1008.22, the following year; the student must receive remediation the following year, which may be integrated into the student's required mathematics courses course.~~

~~(2) Students in grade 6, grade 7, or grade 8 who are not enrolled in schools with a middle grades configuration are subject to the promotion requirements of this section.~~

~~(4)(3) The State Board of Education shall may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.~~

Section 14. Section 1003.4203, Florida Statutes, is amended to read:

1003.4203 Digital materials, recognitions, certificates, and technical assistance curriculum.—

(1) Each district school board, in consultation with the district school superintendent, shall make available may develop and implement a digital materials curriculum for students in prekindergarten grades 6 through grade 12 in order to enable students to attain digital skills competencies in web communications and web design. A digital curriculum may include web based skills, web based core technologies, web design, use of digital technologies and markup language to show competency in computer skills, and use of web based core technologies to design creative, informational, and content standards for web based digital products that demonstrate proficiency in creating, publishing, testing, monitoring, and maintaining a website.

~~(2) The digital materials curriculum instruction may be integrated into middle school and high school subject area curricula, or offered as a separate course, made available through open-access options, or deployed through online or digital computer applications, subject to available funding.~~

~~(2) Beginning with the 2013-2014 school year, each district school board, in consultation with the district school superintendent, shall make available digital and instructional materials, including software applications, to students with disabilities who are in prekindergarten through grade 12.~~

~~(3) Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies, or affiliated nonprofit organizations, that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Cyber Security Recognition and a Florida Digital Arts Recognition. The department shall notify each school district when the recognitions are developed and available. The recognitions shall be made~~

~~available to all public elementary school students at no cost to the districts or charter schools.~~

~~(a) Targeted knowledge and skills to be mastered for each recognition shall be identified by the department. Knowledge and skills may be demonstrated through student attainment of the below recognitions in particular content areas:~~

- ~~1. The Florida Cyber Security Recognition must be based upon an understanding of computer processing operations and, in most part, on cyber security skills that increase a student's cyber-safe practices.~~
- ~~2. The Florida Digital Arts Recognition must reflect a balance of skills in technology and the arts.~~

~~(b) The technology companies or affiliated nonprofit organizations that provide the recognition must provide open access to materials for teaching and assessing the skills a student must acquire in order to earn a Florida Cyber Security Recognition or a Florida Digital Arts Recognition. The school district shall notify each elementary school advisory council of the methods of delivery of the open-access content and assessments. If there is no elementary school advisory council, notification must be provided to the district advisory council.~~

~~(4) Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Digital Tools Certificate to indicate a student's digital skills. The department shall notify each school district when the certificate is developed and available. The certificate shall be made available to all public middle grades students at no cost to the districts or charter schools.~~

~~(a) Targeted skills to be mastered for the certificate include digital skills that are necessary to the student's academic work and skills the student may need in future employment. The skills must include, but are not limited to, word processing, spreadsheet display, and creation of presentations, including sound, text, and graphic presentations, consistent with industry certifications that are listed on the Industry Certification Funding List, pursuant to s. 1003.492.~~

~~(b) A technology company that provides the certificate must provide open access to materials for teaching and assessing the skills necessary to earn the certificate. The school district shall notify each middle school advisory council of the methods of delivery of the open-access content and assessments for the certificate. If there is no middle school advisory council, notification must be provided to the district advisory council.~~

~~(c) The Legislature intends that by July 1, 2018, on an annual basis, at least 75 percent of public middle grades students earn a Florida Digital Tools Certificate.~~

~~(5)(3) The Department of Education or a company contracted with under subsection (4) shall provide technical assistance to shall develop a model digital curriculum to serve as a guide for district school boards in the implementation of this section. Technical assistance to districts shall include, but is not limited to, identification of digital resources, primarily open-access resources, including digital curriculum, instructional materials, media assets, and other digital tools and applications; training mechanisms for teachers and others to facilitate integration of digital resources and technologies into instructional strategies; and model policies and procedures that support sustainable implementation practices development of a digital curriculum.~~

~~(6)(4) A district school board may seek partnerships with other school districts, private businesses, postsecondary institutions, or and consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials, recognitions, and certificates established pursuant to this section curriculum instruction.~~

~~(7) The State Board of Education shall adopt rules to administer this section.~~

And the title is amended as follows:

Delete lines 2-51 and insert: An act relating to K-20 education; amending s. 1000.03, F.S.; providing for comprehensive K-20 career and education planning; amending s. 1000.21, F.S.; providing that Next

Generation Sunshine State Standards include specified common core standards; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center; providing governing board membership and responsibilities; amending s. 1002.3105, F.S.; providing additional academically challenging curriculum options; amending s. 1002.33, F.S.; conforming provisions; amending s. 1002.37, F.S.; revising funding for the Florida Virtual School based on student completion of end-of-course assessments; repealing s. 1002.375, F.S., relating to an alternative credit for high school courses pilot project; amending s. 1002.45, F.S.; revising funding for virtual instruction programs based on student completion of end-of-course assessments; amending s. 1003.02, F.S.; conforming provisions; amending s. 1003.03, F.S.; revising implementation options to meet class size requirements; amending s. 1003.41, F.S.; revising requirements for the Next Generation Sunshine State Standards; repealing s. 1003.413, F.S., relating to the Florida Secondary School Redesign Act; amending s. 1003.4156, F.S.; revising middle grades promotion requirements; conforming provisions relating to the statewide, standardized assessment program; revising career and education planning course content; revising remediation strategies; amending s. 1003.4203, F.S.; requiring the availability of digital materials in prekindergarten through grade 12; providing for digital recognition and certificate programs; amending s.

Senator Legg moved the following amendment:

Amendment 2 (689644) (with title amendment)—Delete lines 551-2048 and insert:

Section 15. Section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation;—~~revised.~~—

(1) ~~Except as otherwise authorized pursuant to s. 1003.429,~~ Beginning with students entering grade 9 in the 2007-2008 school year, graduation requires the successful completion of a minimum of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum. Students must be advised of eligibility requirements for state scholarship programs and post-secondary admissions.

(2) The 24 credits may be earned through applied, integrated, and ~~career education combined~~ courses approved by the Department of Education. The 24 credits shall be distributed as follows:

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. Beginning with students entering grade 9 in the 2010-2011 school year, in addition to the Algebra I credit requirement, one of the four credits in mathematics must be geometry or a series of courses equivalent to geometry as approved by the State Board of Education. Beginning with students entering grade 9 in the 2010-2011 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(I) must be met in order for a student to earn the required credit in Algebra I. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c) 2.a.(I) must be met in order for a student to earn the required credit in geometry. Beginning with students entering grade 9 in the 2012-2013 school year, in addition to the Algebra I and geometry credit requirements, one of the four credits in mathematics must be Algebra II or a series of courses equivalent to Algebra II as approved by the State Board of Education.

3. Three credits in science, two of which must have a laboratory component. Beginning with students entering grade 9 in the 2011-2012 school year, one of the three credits in science must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(II) must be met in order for a student to earn the required credit in Biology I. Beginning with students entering grade 9 in the 2013-2014 school year, one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education, one credit must be chemistry or physics or a series of

courses equivalent to chemistry or physics as approved by the State Board of Education, and one credit must be an equally rigorous course, as determined by the State Board of Education.

4. Three credits in social studies as follows: one credit in United States history; one credit in world history; one-half credit in economics, *which shall include financial literacy*; and one-half credit in United States government.

5. One credit in fine or performing arts, speech and debate, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory.

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.

(b) Eight credits in electives.

1. For each year in which a student scores ~~at~~ Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A high school student who scores ~~at~~ Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.

2. For each year in which a student scores ~~at~~ Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

(c) Beginning with students entering grade 9 in the 2011-2012 school year, at least one course within the 24 credits required in this subsection must be completed through online learning. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken during grades 6 through 8 fulfills this requirement. This requirement shall be met through an online course offered by the Florida Virtual School, an online course offered by the high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual educational plan under s. 1003.57 which indicates that an online course would be inappropriate or a student who is enrolled in a Florida high school and has less than 1 academic year remaining in high school.

(3)(a) A district school board may require specific courses and programs of study within the minimum credit requirements for high school graduation and shall modify basic courses, as necessary, to assure ex-

ceptional students the opportunity to meet the graduation requirements for a standard diploma, using one of the following strategies:

1. Assignment of the exceptional student to an exceptional education class for instruction in a basic course with the same student performance standards as those required of nonexceptional students in the district school board student progression plan; or

2. Assignment of the exceptional student to a basic education class for instruction that is modified to accommodate the student's exceptionality.

(b) The district school board shall determine which of these strategies to employ based upon an assessment of the student's needs and shall reflect this decision in the student's individual education plan.

(4) Each district school board shall establish standards for graduation from its schools, which must include:

(a) Successful completion of the academic credit or curriculum requirements of subsections (1) and (2). For courses that require statewide, standardized end-of-course assessments under s. 1008.22(3)(c)2.d., a minimum of 30 percent of a student's course grade shall be comprised of performance on the statewide, standardized end-of-course assessment.

(b) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in s. 1008.22(10).

(c) Completion of all other applicable requirements prescribed by the district school board pursuant to s. 1008.25.

(d) Achievement of a cumulative grade point average of 2.0 on a 4.0 scale, or its equivalent, in the courses required by this section.

Each district school board shall adopt policies designed to assist students in meeting the requirements of this subsection. These policies may include, but are not limited to: forgiveness policies, summer school or before or after school attendance, special counseling, volunteers or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F" or the equivalent of a grade of "C," "D," or "F." In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

(5) The State Board of Education, after a public hearing and consideration, shall adopt rules based upon the recommendations of the commissioner for the provision of test accommodations and modifications of procedures as necessary for students with disabilities which will demonstrate the student's abilities rather than reflect the student's impaired sensory, manual, speaking, or psychological process skills.

(6) The public hearing and consideration required in subsection (5) shall not be construed to amend or nullify the requirements of security relating to the contents of examinations or assessment instruments and related materials or data as prescribed in s. 1008.23.

(7)(a) A student who meets all requirements prescribed in subsections (1), (2), (3), and (4) shall be awarded a standard diploma in a form prescribed by the State Board of Education.

(b) A student who completes the minimum number of credits and other requirements prescribed by subsections (1), (2), and (3), but who is unable to meet the standards of paragraph (4)(b), paragraph (4)(c), or

paragraph (4)(d), shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, any student who is otherwise entitled to a certificate of completion may elect to remain in the secondary school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

(8)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.

(b)1. A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan (IEP) committee determines that the FCAT cannot accurately measure the student's abilities taking into consideration all allowable accommodations, shall have the FCAT requirement of paragraph (4)(b) waived for the purpose of receiving a standard high school diploma, if the student:

a. Completes the minimum number of credits and other requirements prescribed by subsections (1), (2), and (3).

b. Does not meet the requirements of paragraph (4)(b) after one opportunity in 10th grade and one opportunity in 11th grade.

2. A student with a disability, as defined in s. 1007.02(2), for whom the IEP committee determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for the purpose of determining the student's course grade and credit as required in paragraph (4)(a).

~~(9) The Commissioner of Education may award a standard high school diploma to honorably discharged veterans who started high school between 1937 and 1946 and were scheduled to graduate between 1941 and 1950 but were inducted into the United States Armed Forces between September 16, 1940, and December 31, 1946, prior to completing the necessary high school graduation requirements. Upon the recommendation of the commissioner, the State Board of Education may develop criteria and guidelines for awarding such diplomas.~~

~~(10) The Commissioner of Education may award a standard high school diploma to honorably discharged veterans who started high school between 1946 and 1950 and were scheduled to graduate between 1950 and 1954, but were inducted into the United States Armed Forces between June 27, 1950, and January 31, 1955, and served during the Korean Conflict prior to completing the necessary high school graduation requirements. Upon the recommendation of the commissioner, the State Board of Education may develop criteria and guidelines for awarding such diplomas.~~

~~(9)(11) The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.~~

Section 16. Subsection (1) of section 1003.4281, Florida Statutes, is amended to read:

1003.4281 Early high school graduation.—

(1) The purpose of this section is to provide a student the option of early graduation if the student ~~earns~~ ~~has completed a minimum of~~ 24 credits and meets the graduation requirements set forth in s. 1003.428 or s. 1003.4282, as applicable. For purposes of this section, the term "early graduation" means graduation from high school in less than 8 semesters or the equivalent.

Section 17. Section 1003.4282, Florida Statutes, is created to read:

1003.4282 Requirements for a standard high school diploma.—

(1) TWENTY-FOUR CREDITS REQUIRED.—

(a) Beginning with students entering grade 9 in the 2013-2014 school year, receipt of a standard high school diploma requires successful completion of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.

(b) *The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the Next Generation Sunshine State Standards for that subject. An applied course aligns with Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.*

(2) **NOTIFICATION REQUIREMENTS.**—*The school district must notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for state scholarship programs and postsecondary admissions. The Department of Education shall directly and through the school districts notify registered private schools of public high school course credit and assessment requirements. Each private school must make this information available to students and their parents so they are aware of public high school graduation requirements.*

(3) **STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.**—

(a) *Four credits in English Language Arts (ELA).—The four credits must be in ELA I, II, III, and IV. A student must pass 10th grade FCAT Reading until the state transitions to a common core 10th grade ELA assessment, after which time a student must pass the ELA assessment in order to earn a standard high school diploma.*

(b) *Four credits in mathematics.—A student must earn one credit in Algebra I and one credit in geometry. A student's performance on the Algebra I end-of-course (EOC) assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. A student must pass the Algebra I EOC assessment until the state transitions to a common core Algebra I assessment after which time a student must pass the common core assessment in order to earn a standard high school diploma. A student's performance on the Geometry EOC assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. When the state administers a common core Algebra II assessment, a student selecting Algebra II must take the assessment, and the student's performance on the assessment constitutes 30 percent of the student's final course grade. Industry certification courses that lead to college credit may substitute for up to two math credits.*

(c) *Three credits in science.—Two of the three required credits must have a laboratory component. A student must earn one credit in Biology I and two credits in equally rigorous courses. The Biology I EOC assessment constitutes 30 percent of the student's final course grade. Industry certification courses that lead to college credit may substitute for up to one science credit.*

(d) *Three credits in social studies.—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.*

(e) *One credit in fine or performing arts, speech and debate, or practical arts.—The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses are identified in the Course Code Directory.*

(f) *One credit in physical education.—Physical education must include the integration of health. This requirement is subject to all of the provisions in s. 1003.428(2)(a)6.*

(g) *Eight credits in electives.—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for*

which there is a statewide or local articulation agreement and which lead to college credit.

(4) **ONLINE COURSE REQUIREMENT.**—*Excluding a driver education course, at least one course within the 24 credits required under this section must be completed through online learning. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken in grade 6, grade 7, or grade 8 fulfills this requirement. This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.*

(5) **REMEDIATION FOR HIGH SCHOOL STUDENTS.**—

(a) *Each year a student scores Level 1 or Level 2 on 9th grade or 10th grade FCAT Reading or, when implemented, 9th grade, 10th grade, or 11th grade common core English Language Arts (ELA) assessments, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.*

(b) *Each year a student scores Level 1 or Level 2 on the Algebra I EOC assessment, or upon transition to the common core Algebra I assessment, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.*

(6) **GRADE FORGIVENESS POLICY.**—*Each district school board shall adopt policies designed to assist students in meeting graduation requirements including grade forgiveness policies. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F" with a grade of "C" or higher—earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F" with a grade of "C" or higher—earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F". In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.*

(7) **AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.**—*A student who earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale and meets the requirements of this section shall be awarded a standard high school diploma in a form prescribed by the State Board of Education. Notwithstanding any other law to the contrary, all students enrolled in high school as of the 2012-2013 school year who earned a passing grade in Biology I or geometry before the 2013-2014 school year shall be awarded a credit in that course if the student passed the course. The student's performance on the EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who fails to earn the required credits or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education.*

(8) **UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.**—*Beginning with the 2012-2013 school year, if a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a mathematics credit in a course that requires passage of a statewide, standardized assessment in order to earn a standard high school diploma, the student must pass the assessment unless the student earned a comparative score pursuant to s. 1008.22, passed a statewide assessment in that subject administered by the transferring entity, or passed the statewide assessment the transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, 20 U.S.C. s. 6301. If a student's transcript shows a credit in high school reading or English Lan-*

guage Arts II or III, the student must take and pass grade 10 FCAT Reading or earn a concordant score on the SAT or ACT as specified by state board rule or, when the state transitions to common core English Language Arts assessments, earn a passing score on the English Language Arts assessment as required under this section.

(9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL CREDIT REQUIREMENTS.—

(a) Participation in career education courses engages students in their high school education, increases academic achievement, enhances employment applications, and increases postsecondary success. By July 1, 2014, the department shall develop, for approval by the State Board of Education, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection and allow students to earn credit in both the career education course and courses required for high school graduation under this section and ss. 1003.428 and 1003.4281.

1. The state board must determine if sufficient academic standards are covered to warrant the award of academic credit.

2. Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications. The instructional methodology used in these courses must be comprised of authentic projects, problems, and activities for contextually learning the academics.

(b) Each school district should take the initiative to work with local workforce boards, local business and industry leaders, and postsecondary institutions to establish partnerships for the purpose of creating career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) that students can take to earn required high school course credits. Emphasis should be placed on online course work and digital literacy. School districts must submit their recommended career education courses to the department for state board approval. School district-recommended career education courses must meet the same rigorous standards as department-developed career education courses in order to be approved by the state board. School districts participating in the development of rigorous career education courses will be able to better address local workforce needs and allow students the opportunity to acquire the knowledge and skills that are needed not only for academic advancement but also for employability purposes.

(c) Regional consortium service organizations established pursuant to s. 1001.451 shall work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection that students can take to earn required high school course credits. The regional consortium shall submit course recommendations to the department, on behalf of the consortium member districts, for state board approval. A strong emphasis should be placed on online course work, digital literacy, and workforce literacy as defined in s. 1004.02(27). For purposes of providing students the opportunity to earn industry certifications, consortiums must secure the necessary site licenses and testing contracts for use by member districts.

(10) RULES.—The State Board of Education shall adopt rules to implement this section.

Section 18. Section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) Scholar designation.—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. English Language Arts (ELA).—When the state transitions to common core assessments, pass the 11th grade ELA common core assessment.

2. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. When the state transitions to common core assessments, students must pass the Algebra II common core assessment.

3. Science.—Pass the statewide, standardized Biology I end-of-course assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics.

4. Social studies.—Pass the statewide, standardized United States History end-of-course assessment.

5. Foreign language.—Earn two credits in the same foreign language.

6. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

(b) Merit designation.—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Merit designation, a student must attain one or more industry certifications from the list established under s. 1003.492.

(2) Students and parents shall be provided information about diploma designations through an online education and career planning tool, which allows students to monitor their progress toward the attainment of each designation.

(3) The State Board of Education may make recommendations to the Legislature regarding the establishment of additional designations.

~~(1) A designation of the student's major area of interest pursuant to the student's completion of credits as provided in s. 1003.428.~~

~~(2) A designation reflecting completion of four or more accelerated college credit courses if the student is eligible for college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses. The Commissioner of Education shall establish guidelines for successful passage of examinations or coursework in each of the accelerated college credit options for purposes of this subsection.~~

~~(3) A designation reflecting the attainment of one or more industry certifications from the list approved by Workforce Florida, Inc., under s. 1003.492.~~

~~(4) A designation reflecting a Florida Ready to Work Credential in accordance with s. 445.06.~~

Section 19. Section 1003.4286, Florida Statutes, is created to read:

1003.4286 Award of standard high school diplomas to honorably discharged veterans.—Pursuant to rules adopted by the State Board of Education in consultation with the Department of Military Affairs, the Commissioner of Education may award a standard high school diploma to an honorably discharged veteran who has not completed high school graduation requirements.

Section 20. Section 1003.429, Florida Statutes, is repealed.

Section 21. Subsections (1) and (3) of section 1003.4295, Florida Statutes, are amended to read:

1003.4295 Acceleration options.—

(1) Each high school shall advise each student of courses ~~programs~~ through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, ~~and~~ early admission ~~courses~~, and career academy courses; and courses that lead to ~~national~~ industry certification, as well as the availability of course offerings through virtual instruction. Students shall also be advised of the early ~~and accelerated~~ graduation options under s. ~~ss.~~ 1003.4281 ~~and~~ 1003.429.

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *Algebra I*, *Algebra II*, *geometry*, *United States history*, or *biology* ~~a course that requires a statewide, standardized end-of-course assessment~~ if the student ~~passes the statewide, standardized assessment administered under s. 1008.22~~ ~~attains a specified score on the assessment~~. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding statewide, standardized ~~end-of-course~~ assessment. The school district shall permit a student who is not enrolled in the course, or who has not completed the course, to take the ~~standardized end-of-course~~ assessment during the regular administration of the assessment.

Section 22. *Section 1003.43, Florida Statutes, is repealed.*

Section 23. Section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(1) Students who enter a Florida public school at the eleventh or twelfth grade from out of state or ~~out of from a foreign~~ country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and ~~meet the requirements under s. 1008.22~~ ~~pass the grade 10 FCAT required in s. 1008.22(3) or an alternate assessment as described in s. 1008.22(10).~~

(2) Students who ~~earn the required 24 credits have met all requirements~~ for the standard high school diploma except for passage of *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:~~

(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to remedial or credit courses at a Florida College System institution, as appropriate.

(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. ~~Students attending adult basic, adult secondary, or vocational preparatory instruction are exempt from any requirement for the payment of tuition and fees, including lab fees, pursuant to s. 1009.25.~~ A student attending an adult general education program shall have the opportunity to take *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT~~ an unlimited number of times in order to receive a standard high school diploma.

(3) Students who have been enrolled in an ESOL program for less than 2 school years and have met all requirements for the standard high school diploma except for passage of *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT~~ or alternate assessment may receive immersion English language instruction during the summer following their senior year. Students receiving such instruction are eligible to take the ~~required assessment~~ ~~FCAT~~ or alternate assessment and receive a standard high school diploma upon passage of the ~~required assessment~~ ~~grade 10 FCAT~~ or the alternate assessment. This subsection shall be implemented to the extent funding is provided in the General Appropriations Act.

~~(4) The district school superintendent shall be responsible for notifying all students of the consequences of failure to receive a standard high school diploma, including the potential ineligibility for financial assistance at postsecondary educational institutions.~~

~~(4)(5)~~ The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 24. Subsection (6) of section 1003.435, Florida Statutes, is amended to read:

1003.435 High school equivalency diploma program.—

~~(6)(a)~~ All high school equivalency diplomas issued under the provisions of this section shall have equal status with other high school diplomas for all state purposes, including admission to any state university or Florida College System institution.

~~(b) The State Board of Education shall adopt rules providing for the award of a standard high school diploma to holders of high school equivalency diplomas who are assessed as meeting designated criteria, and the commissioner shall establish procedures for administering the assessment.~~

Section 25. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of “credit”.—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, *except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3)*. One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

Section 26. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been identified, in accordance with rules established by the State Board of Education, as a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; another health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired shall not be required to meet all requirements of ~~s. 1003.42~~ ~~or s. 1003.428~~ *or s. 1003.428* *or s. 1003.4282* and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of ~~s. 1003.42~~ ~~or s. 1003.428~~ *or s. 1003.4282* through the standard procedures established therein and thereby to qualify for a standard diploma upon graduation.

Section 27. Paragraphs (e) and (f) of subsection (3) of section 1003.491, Florida Statutes, are amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(3) The strategic 3-year plan developed jointly by the local school district, regional workforce boards, economic development agencies, and state-approved postsecondary institutions shall be constructed and based on:

(e) Strategies to provide personalized student advisement, including a parent-participation component, and coordination with middle *grades schools* to promote and support career-themed courses and education planning as required under s. 1003.4156;

(f) Alignment of requirements for middle school career planning under s. ~~1003.4156(1)(e)~~ ~~1003.4156(1)(a)5~~, middle and high school career and professional academies or career-themed courses leading to industry certification or postsecondary credit, and high school graduation requirements;

Section 28. Section 1003.4935, Florida Statutes, is amended to read:

1003.4935 Middle *grades school* career and professional academy courses and career-themed courses.—

(1) Beginning with the 2011-2012 school year, each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, shall include plans to implement a career and professional academy or a career-themed course, as defined in s. 1003.493(1)(b), in at least one middle school in the district as part of the strategic 3-year plan pursuant to s. 1003.491(2). The strategic plan must provide students the opportunity to transfer from a middle school career and professional academy or a career-themed course to a high school career and professional academy or a career-themed course currently operating within the school district. Students who complete a middle school career and professional academy or a career-themed course must have the opportunity to earn an industry certificate and high school credit and participate in career planning, job shadowing, and business leadership development activities.

(2) Each middle *grades school* career and professional academy or career-themed course must be aligned with at least one high school career and professional academy or career-themed course offered in the district and maintain partnerships with local business and industry and economic development boards. Middle *grades school* career and professional academies and career-themed courses must:

(a) Lead to careers in occupations designated as high-skill, high-wage, and high-demand in the Industry Certification Funding List approved under rules adopted by the State Board of Education;

(b) Integrate content from core subject areas;

(c) Integrate career and professional academy or career-themed course content with intensive reading, *English Language Arts*, and mathematics pursuant to ss. ~~1003.428 and 1003.4282~~;

(d) Coordinate with high schools to maximize opportunities for middle *grades school* students to earn high school credit;

(e) Provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle *grades school* students. The virtual instruction courses must be aligned to state curriculum standards for middle *grades school* career and professional academy courses or career-themed courses, with priority given to students who have required course deficits;

(f) Provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach;

(g) Offer externships; and

(h) Provide personalized student advisement that includes a parent-participation component.

(3) Beginning with the 2012-2013 school year, if a school district implements a middle school career and professional academy or a career-themed course, the Department of Education shall collect and report student achievement data pursuant to performance factors identified under s. 1003.492(3) for students enrolled in an academy or a career-themed course.

~~(4) The State Board of Education shall adopt rules to identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certified Funding List and which are eligible for additional full-time equivalent membership under s. 1011.62(1).~~

Section 29. Paragraph (c) of subsection (3) of section 1003.51, Florida Statutes, is amended to read:

1003.51 Other public educational services.—

(3) The Department of Education in partnership with the Department of Juvenile Justice, the district school boards, and providers shall:

(c) Maintain standardized required content of education records to be included as part of a youth's commitment record. These requirements shall reflect the policy and standards adopted pursuant to subsection (2) and shall include, but not be limited to, the following:

1. A copy of the student's individual educational plan.

~~2. Assessment Data on student performance on assessments, including grade-level proficiency in reading, writing, and mathematics, and performance on tests taken according to s. 1008.22.~~

3. A copy of the student's permanent cumulative record.

4. A copy of the student's academic transcript.

5. A portfolio reflecting the youth's academic accomplishments while in the Department of Juvenile Justice program.

Section 30. Subsection (4) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(4) REPORTS.—The academically high-performing school district shall submit to the State Board of Education and the Legislature an annual report on December 1 which delineates the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program in s. 1008.22. The annual report shall be submitted in a format prescribed by the Department of Education and shall include, ~~but need not be limited to, the following:~~

~~(a) Longitudinal performance of students on in mathematics, reading, writing, science, and any other subject that is included as a part of the statewide, standardized assessments taken under assessment program in s. 1008.22;~~

~~(b) Longitudinal performance of students by grade level and subgroup on in mathematics, reading, writing, science, and any other subject that is included as a part of the statewide, standardized assessments taken under assessment program in s. 1008.22;~~

(c) Longitudinal performance regarding efforts to close the achievement gap;

(d)1. Number and percentage of students who take an Advanced Placement Examination; and

2. Longitudinal performance regarding students who take an Advanced Placement Examination by demographic group, specifically by age, gender, race, and Hispanic origin, and by participation in the National School Lunch Program;

(e) Evidence of compliance with subsection (1); and

(f) A description of each waiver and the status of each waiver.

Section 31. Subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education for 2 years in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of re-

ceiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1003.428 or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 32. Subsections (2), (7), (9), and (11) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution’s admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. ~~Applied academics for adult education Vocational-preparatory instruction, college-preparatory instruction, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.~~

(7) Career dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn *industry certifications adopted pursuant to s. 1008.44, which count as a series of elective credits* toward the high school diploma. Career dual enrollment shall be available for secondary students seeking a degree and *industry certification through or certificate from a career education complete career preparatory program or course and may not be used to enroll students in isolated career courses.*

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~ and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and

not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~.

(11) Career early admission is a form of career dual enrollment through which eligible secondary students enroll full time in a career center or a Florida College System institution in *postsecondary programs leading to industry certifications, as listed in the Postsecondary Industry Certification Funding List pursuant to s. 1008.44, which courses that are creditable toward the high school diploma and the certificate or associate degree.* Participation in the career early admission program is limited to students who have completed a minimum of 4 ~~6~~ semesters of full-time secondary enrollment, including studies undertaken in the ninth grade. Students enrolled pursuant to this section are exempt from the payment of registration, tuition, and laboratory fees.

Section 33. Section 1008.22, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1008.22, F.S., for present text.)

1008.22 Student assessment program for public schools.—

(1) *PURPOSE.—The primary purpose of the student assessment program is to provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff. This data is to be used by districts to improve instruction; by students, parents, and teachers to guide learning objectives; by education researchers to assess national and international education comparison data; and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The program must be designed to:*

(a) Assess the achievement level and annual learning gains of each student in English Language Arts and mathematics and the achievement level in all other subjects assessed.

(b) Provide data for making decisions regarding school accountability, recognition, and improvement of operations and management, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.

(c) Identify the educational strengths and needs of students and the readiness of students to be promoted to the next grade level or to graduate from high school.

(d) Assess how well educational goals and curricular standards are met at the school, district, state, national, and international levels.

(e) Provide information to aid in the evaluation and development of educational programs and policies.

(2) *NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.—Florida school districts shall participate in the administration of the National Assessment of Educational Progress, or similar national or international assessments, both for the national sample and for any state-by-state comparison programs that may be initiated, as directed by the commissioner. The assessments must be conducted using the data collection procedures, student surveys, educator surveys, and other instruments included in the National Assessment of Educational Progress or similar national or international assessments being administered in Florida. The administration of such assessments shall be in addition to and separate from the administration of the statewide, standardized assessments.*

(3) *STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including students seeking an adult high school diploma and students in Department of Juvenile Justice education programs, except as otherwise prescribed by*

the commissioner. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such non-participation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Florida Comprehensive Assessment Test (FCAT) until replaced by common core assessments.*—FCAT Reading shall be administered annually in grades 3 through 10; FCAT Mathematics shall be administered annually in grades 3 through 8; FCAT Writing shall be administered annually at least once at the elementary, middle, and high school levels; and FCAT Science shall be administered annually at least once at the elementary and middle grades levels. A student who has not earned a passing score on grade 10 FCAT Reading must participate in each retake of the assessment until the student earns a passing score. The commissioner shall recommend and the State Board of Education must adopt a score on both the SAT and ACT that is concordant to a passing score on grade 10 FCAT Reading that, if achieved by a student, meets the must-pass requirement for grade 10 FCAT Reading.

(b) *End-of-course (EOC) assessments.*—EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:

1. *Statewide, standardized EOC assessments in mathematics shall be administered according to this subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I must take the Algebra I EOC assessment. Except as otherwise provided in this section, beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I must earn a passing score on the Algebra I EOC assessment or attain a comparative score as authorized under subsection (8) in order to earn a standard high school diploma. A student who has not earned a passing score on the Algebra I EOC assessment must participate in each retake of the assessment until the student earns a passing score. Beginning with the 2011-2012 school year, all students enrolled in geometry must take the Geometry EOC assessment. Middle grades students enrolled in Algebra I or geometry must take the statewide, standardized EOC assessment for those courses and are not required to take the corresponding grade-level FCAT.*

2. *Statewide, standardized EOC assessments in science shall be administered according to this subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I must take the Biology I EOC assessment.*

3. *During the 2012-2013 school year, an EOC assessment in civics education shall be administered as a field test at the middle grades level. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education constitutes 30 percent of the student's final course grade.*

4. *The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board.*

5. *Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.*

6. *All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).*

(c) *Students with disabilities; Florida Alternate Assessment.*—

1. *Each district school board must provide instruction to prepare students with disabilities in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.*

2. *A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript.*

3. *The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.*

a. *Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.*

b. *If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student's ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.*

c. *If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.*

4. *For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.*

(d) *Common core assessments in English Language Arts (ELA) and mathematics.*—

1. *Contingent upon funding, common core assessments in ELA shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 assessment must be provided. Students taking the ELA assessments are not required to take the assessments in FCAT Reading or FCAT Writing. Common core ELA assessments shall be administered online.*

2. *Contingent upon funding, common core assessments in mathematics shall be administered to all students in grades 3 through 8, and common core assessments in Algebra I, geometry, and Algebra II shall be administered to students enrolled in those courses. Retake opportunities must be provided for the Algebra I assessment. Students may take the common core mathematics assessments pursuant to the Credit Acceleration Program (CAP) under s. 1003.4295(3). Students taking common core assessments in mathematics are not required to take FCAT Mathematics or statewide, standardized EOC assessments in mathematics. Common core mathematics assessments shall be administered online.*

3. *The State Board of Education shall adopt rules establishing an implementation schedule to transition from FCAT Reading, FCAT Writing, FCAT Mathematics, and Algebra I and Geometry EOC assessments to common core assessments in English Language Arts and mathematics. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the common core assessments online. Until the 10th grade common core ELA and Algebra I assessments become must-pass assessments, students must pass 10th grade FCAT Reading and the Algebra I EOC assessment, or achieve a concordant or comparative score as authorized under this section, in*

order to earn a standard high school diploma under s. 1003.4282. Students taking 10th grade FCAT Reading or the Algebra I EOC assessment are not required to take the respective common core assessments.

4. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirement that common core assessments be administered online.

(e) Assessment scores and achievement levels.—

1. All statewide, standardized EOC assessments and FCAT Reading, FCAT Writing, and FCAT Science shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. For purposes of FCAT Writing, student achievement shall be scored using a scale of 1 through 6.

2. The state board shall designate by rule a passing score for each statewide, standardized EOC and FCAT assessment. In addition, the state board shall designate a score for each statewide, standardized EOC assessment that indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(f) Assessment schedules and reporting of results.—The Commissioner of Education shall establish schedules for the administration of assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedule. By August 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment and reporting schedules for, at a minimum, the school year following the upcoming school year. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for FCAT Reading and FCAT Mathematics must be made available no later than the week of June 8. The administration of FCAT Writing and the Florida Alternate Assessment may be no earlier than the week of March 1. School districts shall administer assessments in accordance with the schedule established by the commissioner.

(g) Prohibited activities.—A district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice assessments or engaging in other assessment-preparation activities for a statewide, standardized assessment. However, a district school board may authorize a public school to engage in the following assessment-preparation activities:

1. Distributing to students sample assessment books and answer keys published by the Department of Education.

2. Providing individualized instruction in assessment-taking strategies, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.

3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(h) Contracts for assessments.—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

(4) SCHOOL ASSESSMENT PROGRAMS.—Each public school shall participate in the statewide, standardized assessment program in accordance with the assessment and reporting schedules and the minimum and recommended technology requirements published by the Commissioner of Education. District school boards shall not establish school calendars that conflict with or jeopardize implementation of the assessment program. All district school boards shall report assessment results as required by the state management information system. Performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used by districts in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data must also identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 1008.385 and the development of remediation programs.

(5) REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, statewide, standardized assessment data analysis showing student achievement levels and learning gains by teacher, school, and school district.

(6) LOCAL ASSESSMENTS.—

(a) Measurement of student learning gains in all subjects and grade levels, except those subjects and grade levels measured under the statewide, standardized assessment program described in this section, is the responsibility of the school districts.

(b) Beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a student assessment that measures mastery of the content, as described in the state-adopted course description, at the necessary level of rigor for the course. Such assessments may include:

1. Statewide assessments.

2. Other standardized assessments, including nationally recognized standardized assessments.

3. Industry certification examinations.

4. District-developed or district-selected end-of-course assessments.

(c) The Commissioner of Education shall identify methods to assist and support districts in the development and acquisition of assessments required under this subsection. Methods may include developing item banks, facilitating the sharing of developed tests among school districts, acquiring assessments from state and national curriculum-area organi-

zations, and providing technical assistance in best professional practices of test development based upon state-adopted curriculum standards, administration, and security.

(7) **CONCORDANT SCORES FOR 10TH GRADE FCAT READING.**—Until the state transitions to common core English Language Arts assessments, the Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass 10th grade FCAT Reading. The commissioner may identify concordant scores on other assessments as well. If the content or scoring procedures change for 10th grade FCAT Reading, new concordant scores must be determined. If new concordant scores are not timely adopted, the last-adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

(8) **COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENTS.**—The Commissioner of Education must identify one or more comparative scores for the Algebra I EOC assessment and may identify comparative scores for the other EOC assessments. If the content or scoring procedures change for the EOC assessments, new comparative scores must be determined. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new scores are adopted. The state board shall adopt comparative scores in rule.

(9) **REPORTS.**—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which shall include the following:

(a) Longitudinal performance of students in reading and mathematics.

(b) Longitudinal performance of students by grade level in reading and mathematics.

(c) Longitudinal performance regarding efforts to close the achievement gap.

(d) Other student performance data based on national norm-referenced and criterion-referenced tests, if available; national assessments, such as the National Assessment of Educational Progress; and international assessments.

(e) The number of students who after 8th grade enroll in adult education rather than other secondary education.

(f) Any plan or intent to establish or implement new statewide, standardized assessments.

(10) **RULES.**—The State Board of Education shall adopt rules to implement this section.

Section 34. Paragraph (f) of subsection (2), paragraphs (a) and (b) of subsection (4), paragraphs (a) and (b) of subsection (5), paragraph (b) of subsection (6), subsection (7), and subsection (8) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:

1008.25 Public school student progression; remedial instruction; reporting requirements.—

(2) **COMPREHENSIVE STUDENT PROGRESSION PLAN.**—Each district school board shall establish a comprehensive plan for student progression which must:

(f) Advise parents and students of the early and accelerated graduation options under s. ss. 1003.4281 and 1003.429.

(h) Provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards required pursuant to ss. 1003.41 and 1003.4203 through attainment of industry certifications and other means of demonstrating credit requirements identified under ss. 1002.3105, 1003.4203, 1003.428, and 1003.4282.

(4) **ASSESSMENT AND REMEDIATION.**—

(a) Each student must participate in the statewide, standardized assessment program tests required by s. 1008.22. Each student who does not meet specific levels of performance on the required assessments as determined by the district school board in FCAT reading, writing, science, and mathematics for each grade level, or who scores below Level 3 on in FCAT Reading or FCAT Mathematics or on the common core English Language Arts or mathematics assessments as applicable under s. 1008.22; must be provided with additional diagnostic assessments to determine the nature of the student's difficulty, the areas of academic need, and strategies for appropriate intervention and instruction as described in paragraph (b).

(b) The school in which the student is enrolled must develop, in consultation with the student's parent, and must implement a progress monitoring plan. A progress monitoring plan is intended to provide the school district and the school flexibility in meeting the academic needs of the student and to reduce paperwork. A student who is not meeting the school district or state requirements for proficiency in reading and mathematics math shall be covered by one of the following plans to target instruction and identify ways to improve his or her academic achievement:

1. A federally required student plan such as an individual education plan;
2. A schoolwide system of progress monitoring for all students; or
3. An individualized progress monitoring plan.

The plan chosen must be designed to assist the student or the school in meeting state and district expectations for proficiency. If the student has been identified as having a deficiency in reading, the K-12 comprehensive reading plan required by s. 1011.62(9) shall include instructional and support services to be provided to meet the desired levels of performance. District school boards may require low-performing students to attend remediation programs held before or after regular school hours or during the summer if transportation is provided.

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

(a) ~~It is the ultimate goal of the Legislature that every student read at or above grade level.~~ Any student who exhibits a substantial deficiency in reading, based upon locally determined or statewide assessments conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be reassessed by locally determined assessments or through teacher observations at the beginning of the grade following the intensive reading instruction. The student must continue to be provided with intensive reading instruction until the reading deficiency is remedied.

(b) ~~Beginning with the 2002-2003 school year,~~ If a the student's reading deficiency, as identified in paragraph (a), is not remedied by the end of grade 3, as demonstrated by scoring at Level 2 or higher on the statewide, standardized assessment required under s. 1008.22 ~~test in reading~~ for grade 3, the student must be retained.

(6) **ELIMINATION OF SOCIAL PROMOTION.**—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. Good cause exemptions shall be limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.
2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of State Board of Education rule.
3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.
4. A student ~~Students~~ who demonstrates demonstrate, through a student portfolio, that he or she ~~the student~~ is performing reading on

~~grade level as evidenced by demonstration of mastery of the Sunshine State Standards in reading equal to at least a Level 2 performance on the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22.~~

5. Students with disabilities who participate in ~~the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22,~~ and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive remediation in reading ~~and English Language Arts~~ for more than 2 years but still demonstrates a deficiency ~~in reading~~ and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive remediation in reading ~~and English Language Arts, as applicable under s. 1008.22,~~ for 2 or more years but still demonstrate a deficiency ~~in reading~~ and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive ~~reading~~ instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.

(7) ~~SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS READERS.—~~

(a) Students retained under the provisions of paragraph (5)(b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include effective instructional strategies, participation in the school district's summer reading camp, and appropriate teaching methodologies necessary to assist those students in becoming successful readers, able to read at or above grade level, and ready for promotion to the next grade.

(b) ~~Beginning with the 2004-2005 school year,~~ Each school district shall:

~~1. Conduct a review of student progress monitoring plans for all students who did not score above Level 1 on the reading portion of the FCAT and did not meet the criteria for one of the good cause exemptions in paragraph (6)(b). The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each such student.~~

~~1.2. Provide third grade students who are retained under the provisions of paragraph (5)(b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:~~

~~a. Integration of science and social studies content within the 90-minute block.~~

~~b.a. Small group instruction.~~

~~c.b. Reduced teacher-student ratios.~~

~~d.e. More frequent progress monitoring.~~

~~e.d. Tutoring or mentoring.~~

~~f.e. Transition classes containing 3rd and 4th grade students.~~

~~g.f. Extended school day, week, or year.~~

~~g.—Summer reading camps.~~

~~2.3. Provide written notification to the parent of any student who is retained under the provisions of paragraph (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with the provisions of s.~~

1002.20(15) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

~~3.4. Implement a policy for the midyear promotion of any student retained under the provisions of paragraph (5)(b) who can demonstrate that he or she is a successful and independent reader and performing, reading at or above grade level in reading and English Language Arts, as applicable under s. 1008.22, and ready to be promoted to grade 4. Tools that school districts may use in reevaluating any student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Students promoted during the school year after November 1 must demonstrate proficiency above that required to score at Level 2 on the grade 3 FCAT, as determined by the State Board of Education. The State Board of Education shall adopt standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate 4th grade level reading skills.~~

~~4.5. Provide students who are retained under the provisions of paragraph (5)(b) with a highly effective high performing teacher as determined by the teacher's performance evaluation under s. 1012.34 student performance data and above satisfactory performance appraisals.~~

~~6. In addition to required reading enhancement and acceleration strategies, provide parents of students to be retained with at least one of the following instructional options:~~

~~a. Supplemental tutoring in scientifically research based reading services in addition to the regular reading block, including tutoring before and/or after school.~~

~~b. A "Read at Home" plan outlined in a parental contract, including participation in "Families Building Better Readers Workshops" and regular parent guided home reading.~~

~~e. A mentor or tutor with specialized reading training.~~

~~7. Establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of grade 3 students and to offer intensive accelerated reading instruction to grade 3 students who failed to meet standards for promotion to grade 4 and to each K-3 student who is assessed as exhibiting a reading deficiency. The READ Initiative shall:~~

~~a. Be provided to all K-3 students at risk of retention as identified by the statewide assessment system used in Reading First schools. The assessment must measure phonemic awareness, phonics, fluency, vocabulary, and comprehension.~~

~~b. Be provided during regular school hours in addition to the regular reading instruction.~~

~~e. Provide a state identified reading curriculum that has been reviewed by the Florida Center for Reading Research at Florida State University and meets, at a minimum, the following specifications:~~

~~(I) Assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level.~~

~~(II) Provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension.~~

~~(III) Provides scientifically based and reliable assessment.~~

~~(IV) Provides initial and ongoing analysis of each student's reading progress.~~

~~(V) Is implemented during regular school hours.~~

~~(VI) Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.~~

~~5.8. Establish at each school, when where applicable, an Intensive Acceleration Class for retained grade 3 students who subsequently score at Level 1 on the required statewide, standardized assessment identified in s. 1008.22 reading portion of the FCAT. The focus of the Intensive Acceleration Class shall be to increase a child's reading and English~~

Language Arts skill level at least two grade levels in 1 school year. The Intensive Acceleration Class shall:

a. Be provided to any student in grade 3 who scores at Level 1 on the ~~reading portion of the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22, and who was retained in grade 3 the prior year because of scoring at Level 1 on the reading portion of the FCAT.~~

b. Have a reduced teacher-student ratio.

c. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 *Next Generation Sunshine State Standards* in other core subject areas.

d. Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.

e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.

~~f. Include weekly progress monitoring measures to ensure progress is being made.~~

~~g. Report to the Department of Education, in the manner described by the department, the progress of students in the class at the end of the first semester.~~

~~9. Report to the State Board of Education, as requested, on the specific intensive reading interventions and supports implemented at the school district level. The Commissioner of Education shall annually prescribe the required components of requested reports.~~

~~10. Provide a student who has been retained in grade 3 and has received intensive instructional services but is still not ready for grade promotion, as determined by the school district, the option of being placed in a transitional instructional setting. Such setting shall specifically be designed to produce learning gains sufficient to meet grade 4 performance standards while continuing to remediate the areas of reading deficiency.~~

(8) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(b), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The district school board must report to the parent the student's results on each statewide assessment test. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

(b) Each district school board must annually publish *on the district website in the local newspaper, and report in writing to the State Board of Education by September 1 of each year*, the following information on the prior school year:

1. The provisions of this section relating to public school student progression and the district school board's policies and procedures on student retention and promotion.

2. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the reading portion of the FCAT.

3. By grade, the number and percentage of all students retained in grades 3 through 10.

4. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in paragraph (6)(b).

5. Any revisions to the district school board's policy on student retention and promotion from the prior year.

~~(c) The Department of Education shall establish a uniform format for school districts to report the information required in paragraph (b). The format shall be developed with input from district school boards and shall be provided not later than 90 days prior to the annual due date. The department shall annually compile the information required in subparagraphs (b)2., 3., and 4., along with state level summary information, and report such information to the Governor, the President of the Senate, and the Speaker of the House of Representatives.~~

Section 35. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who scores at Level 2 or Level 3 on the ~~reading portion of the grade 10 FCAT Reading or the English Language Arts assessment under s. 1008.22, as applicable, or Level 2, Level 3, or Level 4 on the Algebra I assessment mathematics assessments~~ under s. 1008.22 ~~1008.22(3)(c)~~. High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, or an equivalent test identified by the State Board of Education. The State Board of Education shall identify in rule the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a Florida College System institution within 2 years of achieving such scores shall not be required to retest or enroll in remediation when admitted to any Florida College System institution. The high school shall use the results of the test to advise the students of any identified deficiencies and to provide 12th grade students, and require them to complete, appropriate postsecondary preparatory instruction ~~before~~ prior to high school graduation. The curriculum provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida's Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary ~~reading, mathematics, reading, or writing, or English Language Arts~~ preparatory course unless the elective course covers the same competencies included in the postsecondary ~~reading, mathematics, reading, or writing, or English Language Arts~~ preparatory course.

Section 36. Paragraphs (b) and (c) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. A school's grade shall be based on a combination of:

a. Student achievement scores *on statewide, standardized, including achievement as measured by FCAT assessments* under s. 1008.22 ~~1008.22(3)(c)1., statewide, standardized end-of-course assessments under s. 1008.22(3)(c)2.a. and b., and achievement scores for students seeking a special diploma.~~

b. Student learning gains in *FCAT Reading or, upon transition to common core assessments, the common core English Language Arts and Mathematics assessments* as measured by ~~FCAT and~~ statewide, standardized ~~end-of-course assessments administered pursuant to s. 1008.22, as described in s. 1008.22(3)(c)1. and 2.a.,~~ including learning gains for students seeking a special diploma, as measured by an alternate assessment.

c. Improvement of the lowest 25th percentile of students in the school in *reading or, upon transition to common core assessments, English Language Arts and Mathematics on the FCAT or end-of-course assessments administered pursuant to s. 1008.22* ~~described in s. 1008.22(3)(c)2.a.,~~ unless these students are exhibiting satisfactory performance.

2. Beginning with the 2011-2012 school year, for schools comprised of middle school grades 6 through 8 or grades 7 and 8, the school's grade

shall include the performance and participation of its students enrolled in high school level courses with *statewide, standardized end-of-course* assessments administered under s. 1008.22(3)(e)2.a. Performance and participation must be weighted equally. As valid data becomes available, the school grades shall include the students' attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the state board.

3. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, at least 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining percentage on the following factors:

- a. The high school graduation rate of the school;
- b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the state board;
- c. Postsecondary readiness of all of the school's on-time graduates as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, or the common placement test;
- d. The high school graduation rate of at-risk students, who ~~score are students scoring at~~ Level 1 or Level 2 on grade 8 FCAT Reading or the *English Language Arts* and *FCAT* mathematics *assessments administered under s. 1008.22*;
- e. As valid data becomes available, the performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(b)4. and 5. ~~1008.22(3)(e)2.c. and d.~~; and
- f. The growth or decline in the components listed in sub-subparagraphs a.-e. from year to year.

(c) Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on ~~the FCAT and~~ statewide, standardized ~~end-of-course~~ assessments in courses required for high school graduation, including, beginning with the 2011-2012 school year, the end-of-course assessment in Algebra I; and beginning with the 2012-2013 school year, the end-of-course assessments in Geometry and Biology I; and beginning with the 2014-2015 school year, on the statewide, standardized end-of-course assessment in civics education at the middle ~~grades school~~ level.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on ~~the FCAT and~~ statewide, standardized ~~end-of-course~~ assessments *under s. 1008.22 as described in s. 1008.22(3)(e) 2.a.*, and who have scored at or in the lowest 25th percentile of students in the school in reading and mathematics, unless these students are exhibiting satisfactory performance.

3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. As used in this subparagraph and s. 1008.341, the term "home school" means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. A school district that fails to assign ~~the FCAT and~~ statewide, standardized end-of-course assessment ~~as described in s. 1008.22(3)(e)2.a.~~ scores of each of

its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.

4. The achievement scores and learning gains of students designated as hospital- or homebound. Student assessment data for students designated as hospital- or homebound shall be assigned to their home school for the purposes of school grades. As used in this subparagraph, the term "home school" means the school to which a student would be assigned if the student were not assigned to a hospital- or homebound program.

5. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

- a. The high school graduation rate of the school as calculated by the department;
- b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequences of courses leading to national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

- c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

- d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

- e. Earning of a national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

- f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, and the common placement test for postsecondary readiness;

- g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored ~~at~~ Level 2 or lower on grade 8 FCAT Reading and FCAT Mathematics;

- h. The performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(b)4. and 5. ~~1008.22(3)(e)2.c. and d.~~; and

- i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools earning a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on *statewide, standardized the FCAT and end-of-course assessments under s. 1008.22 as described in s. 1008.22(3)(e)2.a.*, unless these students are exhibiting satisfactory performance. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students. In order for a high school to earn a grade of "A," the school must demonstrate that its at-risk students, as defined in this paragraph, are making adequate progress.

And the title is amended as follows:

Delete lines 52-155 and insert: 1003.428, F.S.; including financial literacy within the economics course required for high school graduation; conforming provisions; amending s. 1003.4281, F.S.; conforming provisions; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing for a standard college and career high school diploma and course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; providing for a scholar designation, an industry designation, or a waiver designation on the diploma; creating s. 1003.4286, F.S.; providing for the award of a standard high school diploma to honorably discharged veterans pursuant to rule; repealing s. 1003.429, F.S., relating to accelerated high school graduation options; amending s. 1003.4295, F.S.; conforming provisions; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; amending s. 1003.433, F.S.; conforming provisions; amending s. 1003.435, F.S.; deleting a rulemaking requirement relating to high school equivalency diplomas; amending s. 1003.436, F.S.; providing a reference to the Credit Acceleration Program for purposes of defining the term "credit"; amending ss. 1003.438, 1003.491, 1003.4935, 1003.51, 1003.621, and 1004.935, F.S.; conforming provisions; amending s. 1007.271, F.S.; authorizing career dual enrollment students to earn industry certifications for credit toward high school graduation; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English Language Arts and mathematics; providing requirements for assessment scores, achievement levels, assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; providing for instructional sequencing of courses, including industry certifications; conforming provisions relating to student assessment, remediation, retention, and progression; deleting unfunded and inactive programs and reporting requirements; revising school district reporting requirements; amending ss. 1008.30 and 1008.34, F.S.; conforming provisions;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Legg moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (260762)—Delete line 1674 and insert: *district website and in the local newspaper, and report in writing*

Amendment 2 as amended was adopted.

Senator Legg moved the following amendment:

Amendment 3 (633314) (with title amendment)—Delete lines 2049-2529 and insert:

Section 37. Section 1008.44, Florida Statutes, is created to read:

1008.44 Industry certifications; Industry Certification Funding List and Postsecondary Industry Certification Funding List.—

(1) Pursuant to s. 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, the Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62. The commissioner may at any time recommend adding certifications.

(2) The State Board of Education shall approve, at least annually, the Postsecondary Industry Certification Funding List pursuant to this section. The commissioner shall recommend, at least annually, the Postsecondary Industry Certification Funding List to the State Board of Education and may at any time recommend adding certifications. The Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education shall

work with local workforce boards, other postsecondary institutions, businesses, and industry to identify, create, and recommend to the commissioner industry certifications to be placed on the funding list. The list shall be used to determine annual performance funding distributions to school districts or Florida College System institutions as specified in ss. 1011.80 and 1011.81, respectively. The chancellors shall review results of the economic security report of employment and earning outcomes produced annually pursuant to s. 445.007 when determining recommended certifications for the list, as well as other reports and indicators available regarding certification needs.

(3) In the case of rigorous industry certifications that have embedded prerequisite minimum age, grade level, diploma or degree, postgraduation period of work experience of at least 12 months, or other reasonable requirements that may limit the extent to which a student can complete all requirements of the certification recognized by industry for employment purposes, the commissioner shall differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding pursuant to ss. 1011.62, 1011.80, and 1011.81, notwithstanding attainment of prerequisite requirements necessary for recognition by industry for employment purposes. The differentiated requirements established by the commissioner shall be included in the Industry Certification Funding List at the time the certification is adopted.

Section 38. Paragraph (c) of subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The sum of the fractions for each program may not exceed the maximum value set forth in subsection (4).

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if ~~after~~ the student does not pass ~~completes~~ the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in

courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted if ~~after the student does not pass~~ ~~completes~~ the end-of-course assessment. *However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the ~~2016-2017~~ ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted if ~~after the student does not pass~~ ~~completes~~ the end-of-course assessment. *However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as $\frac{1}{6}$ FTE.

~~(VII) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as $\frac{1}{6}$ FTE.~~

~~(VII)(VIII)(A)~~ A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma pursuant to s. 1008.22(3)(c)2.a.* shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year for the first 3 years of administering the end of course assessment.~~ Beginning in the ~~2016-2017 fiscal year~~ ~~fourth year of administering the end of course assessment,~~ the FTE for the course shall be ~~assessment-based credit-based and each course shall be equal to $\frac{1}{6}$ FTE.~~ The reported FTE shall be adjusted if ~~after the student does not pass~~ ~~successfully completes~~ the end-of-course assessment ~~pursuant to s. 1008.22(3)(c)2.a.~~ *However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

~~(A)(B)~~ For students enrolled in a school district as a full-time student, the district may report $\frac{1}{6}$ FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

~~(B)(C)~~ The FTE earned under this sub-sub-subparagraph and any FTE for courses or programs listed in s. 1011.62(1)(c) that do not require passing a statewide, standardized end-of-course assessment are subject to the requirements in subsection (4).

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

Section 39. Present paragraphs (s) and (t) of subsection (1) of section 1011.62, Florida Statutes, are redesignated as paragraphs (t) and (u), respectively, a new paragraph (s) is added to that subsection, and paragraphs (c), (l), (n), and (o), and present paragraph (t) of that subsection are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for opera-

tion of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. *The cost factor for secondary career education programs and basic programs grade 9 through 12 shall be equal.* The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students' education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.—
 - a. Kindergarten and grades 1, 2, and 3.
 - b. Grades 4, 5, 6, 7, and 8.
 - c. Grades 9, 10, 11, and 12.
2. Programs for exceptional students.—
 - a. Support Level IV.
 - b. Support Level V.
3. Secondary career education programs.—
4. English for Speakers of Other Languages.—

(l) Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an International Baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each school district shall allocate 80 percent of the funds received from International Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional development for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses. The school district shall distribute to each classroom teacher who provided International Baccalaureate instruction:

1. A bonus in the amount of \$50 for each student taught by the International Baccalaureate teacher in each International Baccalaureate course who receives a score of 4 or higher on the International Baccalaureate examination.
2. An additional bonus of \$500 to each International Baccalaureate teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 4 or higher on the International Baccalaureate examination, regardless of the number of classes taught or of the number

of students scoring a 4 or higher on the International Baccalaureate examination.

Bonuses awarded to a teacher according to this paragraph ~~may~~ shall not exceed \$2,000 in any given school year. *However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher's course earn a score of 4 or higher on the examination in a school designated with a grade of "A", "B", or "C"; or if at least 25 percent of the students enrolled in a teacher's course earn a score of 4 or higher on the examination in a school designated with a grade of "D" or "F". Bonuses awarded under this paragraph and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score up to the maximum of \$3,000 in any given school year.*

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed \$2,000 in any given school year. *However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "A", "B", or "C" or if at least 25 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "D" or "F". Bonuses awarded under this paragraph and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score up to the maximum of \$3,000 in any given school year.*

(o) Calculation of additional full-time equivalent membership based on ~~certification of~~ successful completion of a career-themed course or ~~career and professional academy program~~ pursuant to ss. 1003.491, 1003.492, and 1003.493, ~~and 1003.4935~~ and issuance of the highest level of industry certification identified in the Industry Certification Certified Funding List pursuant to rules adopted by the State Board of Education.—

1. A value of 0.1 ~~or~~, 0.2, ~~or~~ 0.3 full-time equivalent student membership shall be calculated for each student who completes a career-themed course as defined in s. 1003.493(1)(b) ~~or a career and professional academy program under ss. 1003.491, 1003.492, 1003.493, and 1003.4935~~ and who is issued ~~an~~ the highest level of industry certification identified annually in the Industry Certification Funding List approved under rules adopted by the State Board of Education ~~upon promotion to the 9th grade under subparagraph 2. or upon earning a high school diploma~~. The maximum full-time equivalent student membership value for any student in grades 9 through 12 is 0.3. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued an industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For industry certifications that do not articulate for college credit, the Department of Education shall assign a ~~the appropriate~~ full-time equivalent value of 0.1 for each certification, ~~50 percent of which is based on rigor and the remaining 50 percent on employment value~~. The State Board of Edu-

cation shall include the assigned values in the Industry Certification Funding List under rules adopted by the state board. ~~Rigor shall be based on the number of instructional hours, including work experience hours, required to earn the certification, with a bonus for industry certifications that have a statewide articulation agreement for college credit approved by the State Board of Education. Employment value shall be based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification.~~ Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not ~~provided~~ funded through dual enrollment. *Industry certifications earned through dual enrollment must be reported and funded pursuant to ss. 1011.80 and 1011.81.*

~~2. Upon promotion to the 9th grade, a value of 0.1 full-time equivalent student membership shall be calculated for each student who completes a career-themed course or a career and professional academy program under s. 1003.4935 and who is issued the highest level of industry certification in science, technology, engineering, or mathematics identified on the Industry Certification Funding List under rules adopted by the State Board of Education.~~

~~2.3. The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student.~~ Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. *This allocation may not be used to supplant funds provided for basic operation of the program.* Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$60 ~~\$15~~ million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

3. *For industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of an industry certification that qualified for additional full-time equivalent membership under subparagraph 1:*

a. *A bonus in the amount of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.1.*

b. *A bonus in the amount of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.2.*

4. *For the 2013-2014 fiscal year, the additional FTE membership calculation must include the additional FTE for any student who earned a certification in the 2009-2010, 2010-2011, and 2011-2012 fiscal years who was not previously funded and was enrolled in 2012-2013.*

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of an industry certification on the Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$2,000 in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(s) *Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tools Certificate established pursuant to s. 1003.4203.—*

1. *Each school district shall certify by June 30 of each year to the Department of Education each elementary school that achieves 50 percent of student attainment of the Florida Cyber Security Recognition or the Florida Digital Arts Recognition established pursuant to s. 1003.4203. Upon verification by the department, each school that has achieved the designated student recognitions shall be awarded a Florida Digital Learning Certificate of Achievement by the Commissioner of Education.*

2. *Each middle school shall receive \$50 for each student who earns the Florida Digital Tools Certificate established pursuant to s. 1003.4203*

with a minimum awarded per school of \$1,000 annually and a maximum award per school of \$15,000 annually. This performance payment shall be calculated in the FEFP as a full-time equivalent student.

(u)(t) Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs, industry certifications, and courses for which the student may earn credit toward high school graduation.

Section 40. Paragraph (b) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(b) Time to act on nominations.—The district school board shall act not later than 3 weeks following the receipt of statewide, standardized FCAT scores and data under s. 1008.22, including school grades, or June 30, whichever is later, on the district school superintendent's nominations of supervisors, principals, and members of the instructional staff.

Section 41. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—~~As the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards under s. 1003.41, The State Board of Education shall align the subject area examinations to the Next Generation Sunshine State Standards.~~

Section 42. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to s. 1001.42(18). District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. ~~Authorize~~ ~~Require~~ each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). ~~An~~ ~~The~~ individual professional development plan must:

~~a-~~ be related to specific performance data for the students to whom the teacher is assigned;

~~b-~~ define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity; ~~and-~~

~~e-~~ include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 43. *Any student who selected and is participating in an accelerated high school graduation option under s. 1003.429, Florida Statutes, before July 1, 2013, may continue that option, and all statutory program requirements of the accelerated high school option shall remain applicable to the student as long as the student continues participation in the option.*

Section 44. *The Division of Law Revision and Information is requested to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the term "Sunshine State Standards" to "Next Generation Sunshine State Standards" wherever the term appears in the Florida Statutes.*

Section 45. Paragraph (b) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, *percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, average wages of employed*

graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the Board of Governors, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:

a. Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation, based in part on data provided in the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07.

b. Data-driven gap analyses, conducted by the Board of Governors, of the state's job market demands and the outlook for jobs that require a baccalaureate or higher degree.

Section 46. Section 1001.7065, Florida Statutes, is created to read:

1001.7065 Preeminent state research universities program.—

(1) **STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.**—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—Effective July 1, 2013, the following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) **PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.**—The Board of Governors shall designate each state research university that meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) a preeminent state research university.

(4) **PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR ONLINE LEARNING.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall establish an institute for online learning. The institute shall establish a robust offering of high-quality, fully online baccalaureate degree programs at an affordable cost in accordance with this subsection.

(a) By August 1, 2013, the Board of Governors shall convene an advisory board to support the development of high-quality, fully online baccalaureate degree programs at the university.

(b) The advisory board shall:

1. Offer expert advice, as requested by the university, in the development and implementation of a business plan to expand the offering of high-quality, fully online baccalaureate degree programs.

2. Advise the Board of Governors on the release of funding to the university upon approval by the Board of Governors of the plan developed by the university.

3. Monitor, evaluate, and report on the implementation of the plan to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(c) The advisory board shall be composed of the following five members:

1. The chair of the Board of Governors or the chair's permanent designee.

2. A member with expertise in online learning, appointed by the Board of Governors.

3. A member with expertise in global marketing, appointed by the Governor.

4. A member with expertise in cloud virtualization, appointed by the President of the Senate.

5. A member with expertise in disruptive innovation, appointed by the Speaker of the House of Representatives.

(d) The president of the university shall be consulted on the advisory board member appointments.

(e) A majority of the advisory board shall constitute a quorum, elect the chair, and appoint an executive director.

(f) By September 1, 2013, the university shall submit to the advisory board a comprehensive plan to expand high-quality, fully online baccalaureate degree program offerings. The plan shall include:

1. Existing on-campus general education courses and baccalaureate degree programs that will be offered online.
2. New courses that will be developed and offered online.
3. Support services that will be offered to students enrolled in online baccalaureate degree programs.
4. A tuition and fee structure that meets the requirements in paragraph (k) for online courses, baccalaureate degree programs, and student support services.
5. A timeline for offering, marketing, and enrolling students in the online baccalaureate degree programs.
6. A budget for developing and marketing the online baccalaureate degree programs.
7. Detailed strategies for ensuring the success of students and the sustainability of the online baccalaureate degree programs.

Upon recommendation of the plan by the advisory board and approval by the Board of Governors, the Board of Governors shall award the university \$10 million in nonrecurring funds and \$5 million in recurring funds for fiscal year 2013-2014 and \$5 million annually thereafter, subject to appropriation in the General Appropriations Act.

(g) Beginning in January 2014, the university shall offer high-quality, fully online baccalaureate degree programs that:

1. Accept full-time, first-time-in-college students.
2. Have the same rigorous admissions criteria as equivalent on-campus degree programs.
3. Offer curriculum of equivalent rigor to on-campus degree programs.
4. Offer rolling enrollment or multiple opportunities for enrollment throughout the year.
5. Do not require any on-campus courses. However, for courses or programs that require clinical training or laboratories that cannot be delivered online, the university shall offer convenient locational options to the student, which may include, but are not limited to, the option to complete such requirements at a summer-in-residence on the university campus. The university may provide a network of sites at convenient locations and contract with commercial testing centers or identify other secure testing services for the purpose of proctoring assessments or testing.
6. Apply the university's existing policy for accepting credits for both freshman applicants and transfer applicants.

(h) The university may offer a fully online Masters in Business Administration degree program and other master's degree programs.

(i) The university may develop and offer degree programs and courses that are competency based as appropriate for the quality and success of the program.

(j) The university shall periodically expand its offering of online baccalaureate degree programs to meet student and market demands.

(k) The university shall establish a tuition structure for its online institute in accordance with this paragraph, notwithstanding any other provision of law.

1. For students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at no more than 75 percent of the tuition rate as specified in the General Appropriations Act pursuant to s. 1009.24(4) and 75 percent of the tuition differential pursuant to s. 1009.24(16). No distance learning fee, fee for campus facilities, or fee for on-campus services may be assessed, except that online students shall pay the university's technology fee, financial aid fee, and Capital Improvement Trust Fund fee. The revenues generated from the Capital Improvement Trust Fund fee shall be dedicated to the university's institute for online learning.

2. For students classified as nonresidents for tuition purposes, tuition may be set at market rates in accordance with the business plan.

3. Tuition for an online degree program shall include all costs associated with instruction, materials, and enrollment, excluding costs associated with the provision of textbooks pursuant to s. 1004.085 and physical laboratory supplies.

4. Subject to the limitations in subparagraph 1., tuition may be differentiated by degree program as appropriate to the instructional and other costs of the program in accordance with the business plan. Pricing must incorporate innovative approaches that incentivize persistence and completion, including, but not limited to, a fee for assessment, a bundled or all-inclusive rate, and sliding scale features.

5. The university must accept advance payment contracts and student financial aid.

6. Fifty percent of the net revenues generated from the online institute of the university shall be used to enhance and enrich the online institute offerings, and 50 percent of the net revenues generated from the online institute shall be used to enhance and enrich the university's campus state-of-the-art research programs and facilities.

7. The institute may charge additional local user fees pursuant to s. 1009.24(14) upon the approval of the Board of Governors.

8. The institute shall submit a proposal to the president of the university authorizing additional user fees for the provision of voluntary student participation in activities and additional student services.

(5) **PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(6) **PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.**—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(7) **PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.**—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9-to-12-credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

(8) **PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.**—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

(9) **PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.**—The Board of Governors is encouraged to es-

publish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

Section 47. Subsections (3) and (24) of section 1004.02, Florida Statutes, are amended to read:

1004.02 Definitions.—As used in this chapter:

(3) “Adult general education” means comprehensive instructional programs designed to improve the employability of the state’s workforce through adult basic education, adult secondary education, English for Speakers of Other Languages, *applied academics for adult education* ~~vocational-preparatory~~ instruction, and instruction for adults with disabilities.

(24) “*Applied academics for adult education*” or “*applied academics* ~~Vocational-preparatory~~ instruction” means adult general education through which persons attain academic and workforce readiness skills at the level of functional literacy (grade levels 6.0-8.9) or higher so that such persons may pursue technical certificate education or higher-level technical education.

Section 48. Section 1004.082, Florida Statutes, is created to read:

1004.082 *Talent retention programs.*—*The Chancellor of the State University System shall cooperate with the Commissioner of Education to support talent retention programs that encourage middle school and high school students who indicate an interest in or aptitude for physics or mathematics to continue their education at a state university that has excellent departments in selected fields. The chancellor and the commissioner shall work with state university department chairs to enable department chairs of outstanding state university departments to send letters to students who indicate an interest in or aptitude for those subjects. At a minimum, the letter should provide an open invitation for the student to communicate with the department, at least annually, and to schedule a tour of the department and the campus.*

Section 49. Section 1004.91, Florida Statutes, is amended to read:

1004.91 *Requirements for career education program basic skills* ~~Career preparatory instruction.~~—

(1) The State Board of Education shall adopt, by rule, standards of basic skill mastery for *completion of* certificate career education programs. Each school district and Florida College System institution that conducts programs that confer career and technical certificates ~~credit~~ shall provide *applied academics* ~~career preparatory~~ instruction through which students receive the basic skills instruction required pursuant to this section.

(2) Students who enroll in a program offered for career credit of 450 hours or more shall complete an entry-level examination within the first 6 weeks ~~after~~ of admission into the program. The State Board of Education shall designate examinations that are currently in existence, the results of which are comparable across institutions, to assess student mastery of basic skills. Any student found to lack the required level of basic skills for such program shall be referred to *applied academics* ~~career preparatory~~ instruction or *another adult general basic* education program for a structured program of basic skills instruction. Such instruction may include English for speakers of other languages. A student may not receive a career or technical certificate of completion without first demonstrating the basic skills required in the state curriculum frameworks for the *career education* program.

(3)(a) An adult student with a disability may be exempted from ~~the provisions of~~ this section.

(b) *The following students are exempt from this section:*

1. A student who possesses a college degree at the associate in applied science level or higher ~~is exempt from this section.~~

2. A student who *demonstrates readiness for public postsecondary education pursuant to s. 1008.30 and applicable rules adopted by the State Board of Education* ~~has completed or who is exempt from the college level communication and computation skills examination pursuant to s. 1008.29, or who is exempt from the college entry level ex-~~

~~amination pursuant to s. 1008.29, is exempt from the provisions of this section.~~

3. ~~A student who passes~~ ~~Students who have passed~~ a state or, national, ~~or~~ industry certification or licensure examination that is identified in State Board of Education rules and aligned to the career education program in which the student is enrolled ~~exam are exempt from this section.~~

4. An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with ~~the provisions of chapter 446 is exempt from the provisions of this section.~~

Section 50. Present subsection (8) of section 1004.93, Florida Statutes, is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

1004.93 Adult general education.—

(8) *In order to accelerate the employment of adult education students, students entering adult general education programs after July 1, 2013, must complete the following action-steps-to-employment activities before the completion of the first term:*

(a) *Identify employment opportunities using market-driven tools.*

(b) *Create a personalized employment goal.*

(c) *Conduct a personalized skill and knowledge inventory.*

(d) *Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal.*

(e) *Upgrade skills and knowledge needed through adult general education programs and additional educational pursuits based on the personalized employment goal.*

The action-steps-to-employment activities may be developed through a blended approach with assistance provided to adult general education students by teachers, employment specialists, guidance counselors, business and industry representatives, and online resources. Students may be directed to online resources and provided information on financial literacy, student financial aid, industry certifications, and occupational services and a listing of job openings.

Section 51. Section 1006.735, Florida Statutes, is amended to read:

1006.735 *Complete Florida Degree Program* ~~Completion Pilot Project.~~—

(1) ~~The Complete Florida Degree Program Completion Pilot Project~~ is established for the purpose of recruiting, recovering, and retaining the state’s adult learners and assisting them in completing an associate degree or a baccalaureate degree that is aligned to high-wage, high-skill workforce needs. As used in this section, the term “adult learner” means a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree. ~~The program pilot project~~ shall give priority to adult learners who are veterans or active duty members of the United States Armed Forces.

(2) ~~The Complete Florida Degree Program pilot project~~ shall be implemented by the University of West Florida, acting as the lead institution, *in coordination with Florida College System institutions, state universities, and private postsecondary institutions, as appropriate. The program; the University of South Florida; Florida State College at Jacksonville; and St. Petersburg College* ~~and~~ shall include the associate, applied baccalaureate, and baccalaureate degree programs that these institutions have selected. Other partnering public postsecondary education institutions shall provide areas of specialization or concentration.

(3) For purposes of selecting the degree programs that will be given priority in the *Complete Florida Degree Program* ~~pilot project~~, the institutions identified in subsection (2) shall partner with public and private job recruitment and placement agencies and use labor market data and projections, *including those identified in the Board of Governors’ gap*

analysis, to identify the specific workforce needs and targeted occupations of the state.

(4) The *Complete Florida Degree Program* ~~pilot project~~ shall provide adult learners with a single point of access to information and links to innovative online and accelerated distance learning courses, student and library support services, and electronic resources that will guide the adult learner toward the successful completion of a postsecondary degree.

(5) ~~By the end of~~ ~~Beginning with~~ the 2013-2014 ~~2012-2013~~ academic year, the *Complete Florida Degree Program* ~~pilot project~~ shall be implemented and must:

(a) Use the distance learning course catalog established pursuant to s. 1006.73 to communicate course availability to the adult learner.

(b) Develop and implement an advising and student support system that includes the use of degree completion specialists, is based upon best practices and processes, and includes academic and career support services designed specifically for the adult learner. *The program must identify proposed changes to the statewide computer-assisted student advising system established pursuant to s. 1006.73 to assist the adult learner in using the system.*

(c) Use the streamlined, automated, online admissions application process for transient students established pursuant to s. 1006.73. The *program* ~~pilot project~~ shall identify any additional admissions and registration policies and practices that could be further streamlined and automated for purposes of assisting the adult learner.

(d) Use existing and, if necessary, develop new competency-based instructional and evaluation tools to assess prior performance, experience, and education for the award of college credit in order to reduce the time required for adult learners to complete their degrees. The tools may include the use of the American Council on Education's collaborative link between the United States Department of Defense and higher education through the review of military training and experiences for the award of equivalent college credit for members of the United States Armed Forces.

(e) Develop and implement an evaluation process that collects, analyzes, and provides to *the chancellors of the Florida College System and the State University System*, the participating postsecondary education institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor information on the effectiveness of the *program* ~~pilot project~~ and the attainment of its goals. Such a process shall include a management information system that collects the appropriate student, programmatic, and fiscal data necessary to complete the evaluation of the *program* ~~pilot project~~. Institutions involved in the *program* ~~pilot project~~ shall also collect job placement and employment data on the adult learners who have completed their degrees as a result of the *program* ~~pilot project~~.

(f) Develop and implement a statewide *student recruitment marketing* campaign targeted toward ~~recruiting~~ adult learners, particularly veterans and active duty members of the United States Armed Forces, for enrollment in the degree programs offered through the *program* ~~pilot project~~.

(6) For purposes of the *Complete Florida Degree Program* ~~pilot project~~, each institution's current tuition and fee structure shall be used. However, all participating institutions shall collaboratively identify the applicable cost components involved in the development and delivery of distance learning courses, collect information on these cost components, and submit the information to the ~~Florida Virtual Campus~~. The chancellors of the Florida College System and the State University System. *The chancellors* shall submit a report to the chairs of the legislative appropriations committees no later than December 31, 2014 ~~2013~~, on the need for a differentiated tuition and fee structure for the development and delivery of distance learning courses.

(7) The University of West Florida, in collaboration with *its partners* ~~the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College~~, shall submit to the chairs of the *Board of Governors, the State Board of Education, and the* legislative appropriations committees no later than *September 1, 2013* ~~June 1, 2012~~, a detailed *program* ~~project~~ plan that defines the major work activities, stu-

dent eligibility criteria, timeline, and cost for implementing the *Complete Florida Degree Program* ~~pilot project~~.

~~(8) The University of West Florida, in collaboration with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College, shall develop and implement a transition plan that transfers the administration of the pilot project to the Florida Virtual Campus no later than June 30, 2013.~~

Section 52. Subsection (1) of section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(1) Admissions counseling shall be provided to all students entering college or career credit programs. Counseling shall utilize tests to measure achievement of college-level communication and computation competencies by all students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91.

Each board of trustees shall establish policies that notify students about, and place students into, adult basic education, adult secondary education, or other instructional programs that provide students with alternatives to traditional college-preparatory instruction, including private provider instruction. A student is prohibited from enrolling in additional college-level courses until the student scores above the cut-score on all sections of the common placement test.

Section 53. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than November 30 of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for remediation through college-preparatory or *applied academics for adult education* ~~vocational-preparatory~~ instruction pursuant to s. 1004.91 or s. 1008.30.

Section 54. Subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in *applied academics for adult education* ~~vocational-preparatory~~ instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts college-preparatory and *applied academics for adult education* ~~vocational-preparatory~~ instruction in the same class section may charge a single fee for both types of instruction.

Section 55. Paragraphs (c) and (d) of subsection (1) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(c) A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Family Services or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in *applied*

academics for adult education ~~career preparatory~~ instruction. The exemption remains valid until the student reaches 28 years of age.

(d) A student who is or was at the time he or she reached 18 years of age in the custody of a relative under s. 39.5085 or who was adopted from the Department of Children and Family Services after May 5, 1997. Such exemption includes fees associated with enrollment in *applied academics for adult education* ~~career preparatory~~ instruction. The exemption remains valid until the student reaches 28 years of age.

Section 56. Subsection (11) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(11) A Florida College System institution may waive any portion of the tuition, the activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and distance learning fee for the purpose of offering a baccalaureate degree for state residents for which the cost of tuition and the fees specified in this subsection does not exceed \$10,000 for the entire degree program. Waivers provided pursuant to this subsection shall be applicable for upper-level courses not to exceed 100 percent of the number of required credit hours of the baccalaureate degree program for which the student is determined eligible.

Section 57. Paragraph (b) of subsection (1) and subsection (7) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) Effective January 1, 2008, in order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282, ~~s. 1003.429, s. 1003.43,~~ or s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

~~(7) To be eligible for an initial award and each renewal award under the Florida Bright Futures Scholarship Program, a student must submit a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 58. Subsections (4), (6), and (10) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.—

(4) Funding for all workforce education programs must be based on cost categories, performance output measures, and performance outcome measures.

(a) The cost categories must be calculated to identify high-cost programs, medium-cost programs, and low-cost programs. The cost analysis used to calculate and assign a program of study to a cost category must include at least both direct and indirect instructional costs, consumable supplies, equipment, and standard program length.

~~(b)1. The performance output measure for career education programs of study is student completion of a career program of study that leads to an occupational completion point associated with a certificate, an apprenticeship program, or a program that leads to an applied technology diploma or an associate in applied science or associate in science degree. Performance output measures for registered apprenticeship programs shall be based on program lengths that coincide with lengths established pursuant to the requirements of chapter 446.~~

~~(b)2. The performance output measure for an adult general education course of study is measurable improvement in student skills. This measure shall include improvement in literacy skills, grade level im-~~

provement as measured by an approved test, or attainment of a State of Florida diploma or an adult high school diploma.

(c) The performance outcome measures for *adult general workforce* education programs are associated with placement and retention of students after reaching a completion point or completing a program of study. These measures include placement or retention in employment ~~that is related to the program of study; placement into or retention in employment in an occupation on the Workforce Estimating Conference list of high wage, high skill occupations with sufficient openings, or other High Wage/High Skill Program occupations as determined by Workforce Florida, Inc.; and placement and retention of participants or former participants in the welfare transition program in employment.~~ Continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs. ~~Placement and retention must be reported pursuant to ss. 1008.39 and 1008.43.~~

(6)(a) A school district or a Florida College System institution that provides workforce education programs shall receive funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act. To ensure equitable funding for all school district workforce education programs and to recognize enrollment growth, the Department of Education shall use the funding model developed by the District Workforce Education Funding Steering Committee to determine each district's workforce education funding needs. To assist the Legislature in allocating workforce education funds in the General Appropriations Act, the funding model shall annually be provided to the legislative appropriations committees no later than March 1.

(b) Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

1. Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.

2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.

3. Each school district shall be provided \$1,000 for each industry certification earned by a workforce education student. The maximum amount of funding appropriated for performance funding pursuant to this paragraph shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

~~(c)(b)~~ A program is established to assist school districts and Florida College System institutions in responding to the needs of new and expanding businesses and thereby strengthening the state's workforce and economy. The program may be funded in the General Appropriations Act. The district or Florida College System institution shall use the program to provide customized training for businesses which satisfies the requirements of s. 288.047. Business firms whose employees receive the customized training must provide 50 percent of the cost of the training. Balances remaining in the program at the end of the fiscal year shall not revert to the general fund, but shall be carried over for 1 additional year and used for the purpose of serving incumbent worker training needs of area businesses with fewer than 100 employees. Priority shall be given to businesses that must increase or upgrade their use of technology to remain competitive.

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a Florida College System institution program, including a program conducted at a high school, the Florida College System in-

stitution earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by a career center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment pursuant to s. 1004.91. A student who is coenrolled in a K-12 education program and an adult education program may not be reported for purposes of funding in an adult education program. ~~If a student is, except that for the 2011-2012 and 2012-2013 fiscal years, students who are coenrolled in core curricula courses for credit recovery or dropout prevention purposes and does not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school, the student may be reported for funding for up to two courses per year student. Such a student is~~ ~~students are~~ exempt from the payment of the block tuition for adult general education programs provided in s. 1009.22(3)(d) ~~1009.22(3)(e)~~. *The Department of Education shall develop a list of courses to be designated as core curricula courses for the purposes of coenrollment.*

Section 59. Subsections (2) and (3) of section 1011.81, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (2) is added to that section, to read:

1011.81 Florida College System Program Fund.—

(2) *Performance funding for industry certifications for Florida College System institutions is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:*

(a) *Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.*

(b) *The Chancellor of the Florida College System shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.*

(c) *Each Florida College System institution shall be provided \$1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.*

Section 60. Subsection (1) and paragraph (a) of subsection (3) are amended and a new subsection (4) of section 1011.905, Florida Statutes, is created to read:

1011.905 Performance funding for state universities.—

(1) *State performance funds for the State University System shall be based on indicators of system and institutional attainment of performance expectations. For the 2012-2013 through at least the 2016-2017 and 2013-2014 fiscal years, the Board of Governors shall review and rank each state university that applies for performance funding, as provided in the General Appropriations Act, based on the following formula:*

(a) Twenty-five percent of a state university's score shall be based on the percentage of employed graduates who have earned degrees *which have a primary focus* in the following programs:

1. *For the 2012-2013 and 2013-2014 fiscal years:*

a. ~~1.~~ Computer and information science;

b. ~~2.~~ Computer engineering;

c. ~~3.~~ Information systems technology;

d. ~~4.~~ Information technology; and

e. ~~5.~~ Management information systems.

The 2012-2013 award recipients shall receive the same award for 2013-2014.

2. *For the 2013-2014 and 2014-2015 fiscal years, high-demand programs of emphasis determined by the Board of Governors using the gap-analysis data required by s. 1001.706(5).*

3. *For the 2013-2014 and 2014-2015 fiscal years, a master's degree in cloud virtualization technology and related large data management.*

(b) Twenty-five percent of a state university's score shall be based on the percentage of graduates who have earned baccalaureate degrees in the programs in paragraph (a) and who have earned industry certifications identified on the Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44 in a related field from a Florida College System institution or state university prior to graduation.

(c) Fifty percent of a state university's score shall be based on factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in the programs described in paragraph (a) will be employed in high-skill, high-wage, and high-demand employment.

(3)(a) Each year, the Board of Governors shall award up to \$15 million to the highest-ranked state universities *in support of each program identified in paragraph (1)(a)* from funds appropriated for the purposes in this section and as specified in the General Appropriations Act. The award per state university shall be a minimum of 25 percent of the total amount appropriated pursuant to this section.

Section 61. *By October 31, 2013, the State Board of Education shall recommend to the Legislature a methodology for allocating performance funding for Florida College System institutions, and the Board of Governors shall recommend to the Legislature a methodology for allocating performance funding for State University System institutions, based on the percentage of graduates employed or enrolled in further education, the average wages of employed graduates, and the average cost per graduate.*

Section 62. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete lines 156-216 and insert: creating s. 1008.44, F.S.; providing requirements for industry certifications, an industry certification funding list, and a postsecondary industry certification funding list for distribution of funding to school districts and Florida College System institutions; amending s. 1011.61, F.S.; revising provisions relating to funding for students in virtual instruction programs, the Florida Virtual School, and regular instructional programs based on student completion of end-of-course assessments; amending s. 1011.62, F.S.; revising provisions relating to bonuses awarded to teachers providing advanced placement instruction; revising the calculation of additional full-time equivalent membership based on completion of career-themed courses and issuance of industry certification; providing for teacher bonuses related to industry certification instruction; providing for certain recognitions and performance payments to schools in which students earn digital competency certificates; amending ss. 1012.22 and 1012.56, F.S.; conforming provisions; amending s. 1012.98, F.S.; revising requirements for professional development systems developed by school districts; providing that students participating in an accelerated high school graduation option may continue participation; providing a directive to the Division of Law Revision and Information; amending s. 1001.706, F.S.; requiring the strategic plan of the Board of Governors to include criteria for designating high-demand degree programs of emphasis; creating s. 1001.7065, F.S.; creating the preeminent state research universities program; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of the highest-performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; directing the Board of Governors to convene

an advisory board; providing duties and responsibilities of the advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; revising definitions relating to adult general education and instruction to attain academic and workforce readiness skills; creating s. 1004.082, F.S.; providing for support for talent retention programs for certain middle school and high school students; amending s. 1004.91, F.S.; revising requirements for basic skills instruction for career education programs; amending s. 1004.93, F.S.; requiring certain adult education students to complete action-steps-to-employment; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program and providing requirements for its implementation; amending s. 1007.263, F.S.; conforming provisions; amending s. 1008.37, F.S.; conforming provisions; amending s. 1009.22, F.S.; revising provisions relating to fees for students in adult education programs; amending s. 1009.25, F.S.; revising provisions relating to fee exemptions; amending s. 1009.26, F.S.; providing for fee waivers for certain baccalaureate degree programs; amending s. 1009.531, F.S.; deleting an eligibility requirement for a Florida Bright Futures Scholarship Program award; amending s. 1011.80, F.S.; revising provisions relating to the basis for funding workforce education programs; providing requirements for performance funding for industry certifications for school district workforce education programs; revising provisions relating to funding for coenrolled students; amending s. 1011.81, F.S.; providing requirements for performance funding for industry certifications for Florida College System institutions; providing for performance funding based on accountability metrics; amending s. 1011.905, F.S.; revising the formula upon which performance funding for state universities is based and awarded; requiring the State Board of Education and the Board of Governors to provide recommendations to the Legislature by a specified date; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Legg moved the following amendment to **Amendment 3** which was adopted:

Amendment 3A (753158)—Delete lines 1238 and 1239 and insert:
3. *Each school district shall be provided \$1,000 for each*

Amendment 3 as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for SB 1076** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and

certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share education records of students which may contain students' personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including colocated schools, and students whose assessment data is used in determining school grades; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

—was read the second time by title.

Senator Galvano moved the following amendments which were adopted:

Amendment 1 (654774) (with title amendment)—Delete lines 247-251 and insert:

(d) *The commissioner shall collaborate with the executive director of the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data*
~~The commissioner shall continuously monitor~~

And the title is amended as follows:

Delete lines 49 and 50 and insert: workforce outcome data; deleting a provision that requires

Amendment 2 (700376)—Delete lines 295-297 and insert:

b. *Capable of providing student-level data; however, the department shall remove personally identifiable information from education records of students, or any other information that is confidential pursuant to applicable law. The personally identifiable information must be redacted, aggregated, or otherwise protected by de-identification, anonymization, or any combination thereof. To satisfy confidentiality protections of this section and 20 U.S.C. s. 1232g, also known as the Family Educational Rights and Privacy Act (FERPA), the department may assign an anonymized random identification number to each record before providing access to data. The department shall develop and the State Board of Education shall adopt rules regarding redacting and anonymizing personally identifiable information.*

Data provided to organizations and authorized representatives pursuant to subsection (4) may not include personally identifiable information regarding a student's or a student's family's juvenile delinquency records, criminal records, medical records, biometric information, religious af-

filiations or beliefs, political affiliations or beliefs, and sexual behavior or attitudes.

Amendment 3 (442164) (with title amendment)—Delete lines 316-345 and insert:

(III) *Identification of the FERPA exception relied upon to obtain data.*

(IV) *Requirements regarding procedures for securing data, including, but not limited to, a data security plan. The Department of Education shall reserve the right to conduct security audits or reviews as necessary.*

(V) *Requirements limiting the use of data to meet only the purpose stated in the written agreement.*

(VI) *Requirements establishing disciplinary policies for organizations and authorized representatives that violate FERPA or the written agreement.*

(VII) *Prohibitions regarding access to or use of data obtained pursuant to the written agreement by anyone not authorized to have such access or use by the department.*

(VIII) *Requirements regarding destruction of data that are received pursuant to the written agreement and specifications of when the information must be destroyed.*

(IX) *Requirements regarding background screening of organizations and authorized representatives.*

(X) *Requirements regarding the assessment of liquidated damages for unauthorized disclosure of data or for violation of terms and conditions of the written agreement. In addition, if the department determines that an organization or authorized representative, pursuant to subsection (4), has violated the terms and conditions of the written agreement or FERPA, the violation, as determined by the department, is grounds for termination of data access privileges for 10 years. The department may also impose an administrative penalty of up to \$1,000 per violation.*

And the title is amended as follows:

Delete line 62 and insert: *agreement to access the Research Engine; providing termination of data access privileges and an administrative penalty for violating the written agreement; requiring the*

Amendment 4 (427036) (with title amendment)—Delete lines 398-423 and insert:

(4) **ACCESS TO THE K-20 DATA WAREHOUSE.**—*Pursuant to 20 U.S.C. s. 1232g(b)(1)(F), and the federal regulations issued pursuant thereto, organizations conducting studies for, or on behalf of, educational agencies and institutions as provided in 34 C.F.R. 99.31(a)(6) shall be given access to data maintained by the K-20 data warehouse in a manner consistent with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA. Pursuant to 20 U.S.C. s. 1232g(b)(3)(C), authorized representatives conducting an audit or an evaluation of a federal- or state-supported education program as provided in 34 C.F.R. 99.31(a)(3), shall be given access to the data maintained by the K-20 data warehouse in a manner consistent with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA.*

(a) *Requests by organizations or authorized representatives for access to data with the exception of requests from the Executive Office of the Governor, the Florida Legislature, the Florida Auditor General, and the Office of Program Policy Analysis and Government Accountability, shall be submitted through the Research Engine established pursuant to subparagraph (3)(e)2. Access to the Research Engine is not conditioned upon or limited to studies, audits, or evaluations that support the research agenda, interests, or priorities of the State Board of Education, the commissioner, or the department.*

(b) *Authorized representatives include designated individuals from the Executive Office*

And the title is amended as follows:

Delete lines 67 and 68 and insert: *share data with*

Amendment 5 (868126) (with title amendment)—Delete lines 434-586 and insert:

Section 6. Subsection (1) and paragraph (a) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(1) **ANNUAL REPORTS.**—The Commissioner of Education shall prepare annual reports of the results of the statewide assessment program which describe student achievement in the state, each district, and each school. The commissioner shall prescribe the design and content of these reports, which must include descriptions of the performance of all schools participating in the assessment program and all of their major student populations as determined by the commissioner. The report must also include the percent of students performing at or above grade level and making a year's learning gains growth in a year's time in reading and mathematics. The provisions of s. 1002.22 pertaining to student records apply to this section.

(3) **DESIGNATION OF SCHOOL GRADES.**—

(a) *Beginning with the 2013-2014 school year, each school that has students who are tested and included in the school grading system shall receive a school grade if the number of its students tested on statewide assessments pursuant to s. 1008.22 meets or exceeds the minimum sample size of 10, except as follows:*

~~1.—A school shall not receive a school grade if the number of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

1.2. An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

2.3. A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

3. *If a colocated school does not earn a school grade or school improvement rating for the performance of its students, the student performance data of all schools operating at the same facility must be aggregated to develop a school grade that will be assigned to all schools at that location. A colocated school is a school that has its own unique master school identification number, provides for the education of each of its enrolled students, and operates at the same facility as another school that has its own unique master school identification number and provides for the education of each of its enrolled students.*

And the title is amended as follows:

Delete lines 74 and 75 and insert: *including colocated schools;*

Pursuant to Rule 4.19, **CS for CS for SB 878** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES

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 Thursday, April 4, 2013: CS for SB 86, CS for CS for SB 92, CS for CS for SB 878, CS for SB 1030, CS for SB 1076, CS for SB 1660, CS for SB 1720, SB 1762.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Health Policy recommends the following pass: SB 898 with 1 amendment

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 444; SB 1802; SB 1810

The bills were placed on the Calendar.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1684

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1074

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

The Committee on Education recommends a committee substitute for the following: SB 1388

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 554

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1490

The Committee on Regulated Industries recommends a committee substitute for the following: SB 642

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1046

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 548; SB 1650

The Committee on Health Policy recommends a committee substitute for the following: SB 1482

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1004

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 472

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

The Committee on Judiciary recommends a committee substitute for the following: SB 1210

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1048

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 262; SB 324; SB 550

The Committee on Judiciary recommends a committee substitute for the following: SB 1300

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1410

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 738

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 582

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 242; SB 834

The bills with committee substitute attached were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1724

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 500

The Committee on Judiciary recommends a committee substitute for the following: SB 1384

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 836

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 196; SB 384; SB 1682

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

The Committee on Judiciary recommends a committee substitute for the following: SB 490

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

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 600; CS for SB 682

The Committee on Judiciary recommends a committee substitute for the following: CS for CS for SB 390

The Committee on Transportation recommends a committee substitute for the following: CS for SB 972

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1716

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

The Committee on Appropriations recommends a committee substitute for the following: SB 1258

The Committee on Rules recommends a committee substitute for the following: CS for SB 306

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 400; CS for SB 1126; CS for SB 1372

Appropriations Subcommittee on General Government recommends the following pass: CS for SB 852; SB 936; CS for SB 1686

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Appropriations—

SB 1500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2013, and ending June 30, 2014, to pay salaries, and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1502—A bill to be entitled An act relating to implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2013-2014 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for charter schools upon certain approval; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year; prohibiting the Department of Children and Families from requiring managing entities to conduct provider network procurement during the next fiscal year; providing requirements governing the continuation of Phase 3 of the Department

of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing that any funds remaining in the Clerks of the Court Trust Fund remain available to the clerks; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; providing performance and reporting requirements for the Department of Corrections relating to the implementation of proviso language in the appropriations act; providing salary sanctions for failing to meet those requirements; requiring the Department of Management Services to use certain interest earnings to fund the administration of the MyFlorida.com portal; directing the Department of Management Services to use a tenant broker to renegotiate certain leases and provide a report to the Executive Office of the Governor and the Legislature; authorizing funds available in the Audit and Warrant Clearing Trust Fund to be available for certain interest payments to the Federal Government; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Division of State Lands for certain Board of Trustees Florida Forever Priority List land acquisition projects; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds for land acquisition, design, and construction of multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds for the acquisition and development of a system of interconnected multi-use trails; amending s. 339.08, F.S.; authorizing the Department of Transportation to expend funds to pay certain administrative costs of the multicounty transportation authority established under ch. 343, F.S.; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing the amounts of the state's monthly contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32, F.S.; relating to the source and use of certain trust funds; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; reenacting and amending s. 110.12315, F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; repealing section 53, Laws of Florida,

providing for the reversion of provisions relating to the prescription drug program to the 2010 statutes; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1504—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1506—A bill to be entitled An act relating to trust funds; creating s. 282.221, F.S.; creating the State Technology Working Capital Trust Fund within the Department of State Technology; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or recreation of the trust fund; providing a contingent effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1508—A bill to be entitled An act relating to court-appointed counsel; amending s. 27.40, F.S.; eliminating limited registry provisions; amending s. 27.5304, F.S.; revising statutory caps for certain flat fees; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1510—A bill to be entitled An act relating to postconviction capital collateral proceedings; amending s. 27.701, F.S.; providing for the elimination of a capital collateral counsel pilot program in the northern region of the state; amending s. 27.702, F.S.; requiring each capital collateral regional counsel to provide a report to the Justice Administrative Commission; amending ss. 27.710 and 27.711, F.S.; providing for the assumption of certain duties of the Chief Financial Officer by the Justice Administrative Commission; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1512—A bill to be entitled An act relating to clerks of court; transferring the Clerks of the Court Trust Fund from the Justice Administrative Commission to the Department of Revenue; amending s. 11.90, F.S.; providing additional duties of the Legislative Budget Commission relating to clerks of court; amending s. 28.241, F.S.; revising distribution of filing fees; revising references to trust funds; repealing s. 28.2455, F.S., relating to the transfer of trust funds in excess of the amount needed for clerk budgets; amending s. 28.246, F.S.; conforming provisions to changes made by the act; amending s. 28.35, F.S.; revising duties of the corporation; defining terms; providing requirements for annual submission of a proposed budget and related information; revising provisions concerning functions that may and may not be funded from specified sources; revising distribution of the corporation's audit report; amending s. 28.36, F.S.; specifying that only certain functions may be funded from fees, service charges, costs, and fines retained by the clerks of the court; revising provisions relating to preparation of budget requests by clerks; providing for reporting and certification of revenue deficits; providing procedures for retention of additional revenues by clerks in the event of a deficit; providing for the release of funds from a

specified trust fund to relieve such a deficit in certain circumstances; providing for increases in previously authorized budgets in certain circumstances; deleting provisions relating to review of budgets and related information; creating s. 28.365, F.S.; providing that clerks of court and the Florida Clerks of Court Operations Corporation are subject to specified procurement requirements for expenditures made pursuant to specified provisions; amending s. 28.37, F.S.; providing that a portion of all fines, fees, service charges, and costs collected by the clerks of the court that exceeds a specified portion of the clerk's annual budget be remitted to a specified trust fund; providing for remission of certain excess collections to the department for deposit into the General Revenue Fund on specified dates; providing for deposit of such funds in a specified trust fund in certain circumstances; providing for collection of certain funds by the department; amending s. 34.041, F.S.; conforming provisions to changes made by the act; revising distribution of certain fees; amending s. 142.01, F.S.; deleting provisions specifying that certain moneys are considered state funds; amending s. 213.131, F.S.; conforming provisions to changes made by the act; amending s. 215.22, F.S.; exempting certain moneys deposited in the Clerks of the Court Trust Fund from a specified deduction; specifying the authorized budget for the clerks of the circuit court and the corporation for specified periods; requiring the corporation to determine budget amounts for the individual clerks for those periods; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1514—A bill to be entitled An act relating to education funding; amending s. 1002.3305, F.S.; revising a definition; authorizing the state's program of education to receive state and federal funding that may be transferred between state agencies to provide for operations of the college-preparatory boarding academy; authorizing the college-preparatory boarding academy to enter into an agreement with the Department of Children and Families to admit certain students and to develop an alternative admissions process; amending s. 1002.45, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1003.498, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1009.24, F.S.; authorizing a university to increase its athletic fee to defray the costs associated with adding National Collegiate Athletic Association Division II football; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student" as it relates to the Florida Education Finance Program; amending s. 1011.62, F.S.; revising the fiscal years in which certain school districts may use funds for supplemental academic instruction and research-based reading instruction to provide additional intensive reading instruction; revising the rate of nonvoted current operating discretionary millage that is used to calculate a discretionary millage compression supplement; eliminating the annual virtual education contribution in the Florida Education Finance Program; amending s. 1011.71, F.S.; conforming a cross-reference; authorizing a district school board to levy additional millage for critical capital outlay needs under certain circumstances; deleting a provision that prohibits additional millage and state funds from being included in the calculation of the Florida Education Finance Program; deleting a provision that authorizes the districts to levy millage that was authorized by the voters in the 2010 general election; amending s. 1011.80, F.S.; revising the funding for operation of workforce education programs with regard to students who are coenrolled in a K-12 education program and an adult education program; amending s. 1013.64, F.S.; revising the capital outlay full-time equivalent membership used to calculate the amount that district school boards receive from the Public Education Capital Outlay and Debt Service Trust Fund; specifying the formula to be used for the 2012-2013 fiscal year in calculating the alternate compliance calculation amounts to the class size operating categorical fund, notwithstanding certain other provisions of law; requiring that the Commissioner of Education modify payments to school districts; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

SB 1516—Previously referenced.

By the Committee on Appropriations—

SB 1518—A bill to be entitled An act relating to Department of Children and Families; amending s. 394.9082, F.S.; providing for the carrying forward, expenditure, and return of unexpended funds paid to entities contracting with the department to manage the delivery of behavioral health services; amending s. 409.16713, F.S.; revising recurring core services funding for community-based care lead agencies; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1520—A bill to be entitled An act relating to Medicaid; amending s. 395.602, F.S.; providing that certain rural hospitals remain rural hospitals under specified circumstances; amending s. 409.905, F.S.; requiring the Agency for Health Care Administration to implement a prospective payment system for inpatient hospital services using diagnosis-related groups (DRGs); deleting provisions directing the agency to develop a plan to convert hospital reimbursement for inpatient services to a prospective payment system; requiring hospital reimbursement for outpatient services to be based on allowable costs; providing that adjustments may not be made after a certain date; providing for the reconciliation of errors in source data or calculations; amending s. 409.908, F.S.; revising exceptions to limitations on hospital reimbursement for inpatient services; providing parameters for submission of letters of agreement by local governmental entities to the agency relating to funds for special payments; creating s. 409.909, F.S.; establishing the State-wide Medicaid Residency Program; providing the purposes of the program; providing definitions; providing a formula and limitations for allocating funds to participating hospitals; authorizing the agency to adopt rules; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; amending s. 409.9118, F.S.; amending parameters for the disproportionate share program for specialty hospitals; limiting reimbursement to tuberculosis services provided under contract with the Department of Health; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

SB 1522—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.0804, F.S.; revising and directing the distribution of the vehicle license tax surcharge into the State Transportation Trust Fund and the Highway Safety Operating Trust Fund; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

Senate Bills 1524-1834—Previously published.

SR 1836—Not referenced.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

SB 1838—A bill to be entitled An act relating to homestead property tax exemptions; amending s. 196.082, F.S.; deleting a requirement that a disabled veteran be a resident of this state at the time of entering military service in order to receive a discount on the ad valorem tax owed on his or her homestead property; providing for retroactivity; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations.

By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

SB 1840—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; requiring counties and municipalities to demonstrate that applicable permits have been obtained prior to development in mapped flood hazard areas; providing an effective date.

—was referred to the Committees on Community Affairs; and Rules.

By the Committee on Banking and Insurance—

SB 1842—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and conduct market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending ss. 624.34, 626.022, and 626.207, F.S.; conforming provisions to changes made by this act with respect to the licensure of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s. 626.995, F.S.; providing for the licensure of navigators; providing definitions; providing license requirements and qualifications; specifying licensure conduct; providing for disciplinary actions; providing for the discontinuance of the license; prohibiting concurrent licensure as an insurance agent; authorizing the Department of Financial Services to adopt rules; amending s. 627.402, F.S.; providing definitions for “grandfathered health plan,” “nongrandfathered health plan,” and “PPACA”; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; requiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health

plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by the office; providing for future repeal of this provision; providing effective dates.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy—

SB 1844—A bill to be entitled An act relating to the Health Choice Plus Program; amending s. 408.910, F.S.; conforming provisions to changes made by the act; creating s. 408.9105, F.S.; creating the Health Choice Plus Program; providing legislative intent; providing definitions; providing eligibility requirements; providing exceptions in specific situations; providing for enrollment in the program; providing for disenrollment in specific situations; providing for reenrollment in specific situations; providing requirements and procedures for use of funds in a health benefits account; authorizing the Florida Health Choices, Inc., to accept funds from various sources to deposit into health benefits accounts, subsidize the costs of coverage, and administer and support the program; requiring the corporation to manage the health benefits accounts and provide the marketplace of options that an enrollee in the program may use; providing for payment for achieving health living performance goals; providing that the Florida Insurance Code is not applicable to the program; providing that coverage under the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring the corporation to submit to the Governor and the Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; providing for a program review and repeal date; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

SR 1846—Not referenced.

By the Committee on Banking and Insurance—

SB 1848—A bill to be entitled An act relating to public records; providing a public records exemption for the identity of individuals who make certain allegations or provide certain information to the inspector general of Citizens Property Insurance Corporation and for information relating to a resulting investigation; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By the Committee on Banking and Insurance—

SB 1850—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senators Sobel, Abruzzo, Clemens, Soto, and Bullard—

CS for SB 196—A bill to be entitled An act relating to domestic partners; amending s. 28.24, F.S.; authorizing the clerk of the circuit

court to collect a filing fee for domestic partner registrations; amending s. 382.009, F.S.; requiring notification of a patient's domestic partner in the event of the brain death of the patient; amending s. 394.459, F.S.; providing access to a mental health patient by his or her domestic partner; amending s. 400.022, F.S.; requiring that nursing homes allow a domestic partner access to his or her partner who is a resident and requiring that the domestic partner be allowed to meet with the families of other residents; amending s. 406.50, F.S.; requiring notification of a decedent's domestic partner before the decedent's body can be used for medical education or research; amending s. 408.051, F.S.; adding "domestic partner" to the definition of the term "patient representative"; amending s. 429.28, F.S.; requiring that assisted living facilities allow domestic partners to share a room; amending s. 429.85, F.S.; requiring that adult family-care homes allow domestic partners to share a room; amending s. 446.50, F.S.; providing a cross-reference; amending s. 497.005, F.S.; adding domestic partner to the individuals regarded as legally authorized persons for purposes of making funeral arrangements of a deceased; amending s. 497.152, F.S.; prohibiting the disposition or disinterment of a decedent's body without written authorization from his or her surviving domestic partner; amending s. 741.01, F.S.; directing the Executive Office of the Governor to establish a Domestic Violence Trust Fund for the purpose of collecting and disbursing funds generated from the Declaration of Domestic Partnership fee; creating s. 741.501, F.S.; providing legislative findings; creating s. 741.502, F.S.; providing definitions; creating s. 741.503, F.S.; requiring the Department of Health to adopt forms; creating s. 741.504, F.S.; establishing requirements for domestic partnership; providing criminal penalties for providing false information; creating s. 741.505, F.S.; specifying prohibitions to forming domestic partnerships under certain circumstances; creating s. 741.506, F.S.; identifying rights afforded to domestic partners; providing for enforcement of such rights; creating s. 741.507, F.S.; providing fees for establishing and terminating a domestic partnership; creating s. 741.508, F.S.; providing methods to prove the existence of a domestic partnership under certain circumstances; creating s. 741.509, F.S.; providing for termination of a domestic partnership; creating s. 741.510, F.S.; providing that the act does not preempt the authority of a county or municipality to enact a domestic partnership ordinance unless in conflict with the act; amending s. 765.105, F.S.; including a patient's domestic partner as one of several specified persons who may seek judicial intervention to question the patient's health care decision; amending s. 765.401, F.S.; adding a domestic partner to the list of individuals who may serve as a health care proxy; amending s. 765.512, F.S.; providing that a domestic partner may make an anatomical gift on behalf of the decedent; amending s. 765.517; adding a domestic partner to the list of people who may receive remainder of body parts after an anatomical gift; amending s. 872.04, F.S.; requiring written authorization of a domestic partner to perform an autopsy on his or her deceased partner if no health care surrogate has been designated; providing an effective date.

By the Committee on Banking and Insurance; and Senator Hukill—

CS for SB 242—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the Commissioner of Insurance to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is

subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

By the Committee on Banking and Insurance; and Senator Smith—

CS for SB 262—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; providing that an insurance policy may be delivered by electronic means; specifying the types of policies that can be delivered electronically; requiring that a paper copy of the policy be provided upon request; providing an effective date.

By the Committees on Rules; and Appropriations; and Senators Braynon and Abruzzo—

CS for CS for SB 306—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority-plus-one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposal; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for non-application of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definition of the terms “international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms “applicant,” “agreement,” “beneficiary,” “facility,” “major professional sports franchise,” “sports franchise or association,” “off-season sports

training franchise,” “project,” and “signature event”; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period from June 1 to November 1; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by February 1; requiring legislative approval for state funding; providing for a contract between the department and the applicant; providing evaluation criteria for an applicant to receive state funding; providing for reimbursement of the state funding under certain circumstances; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; providing for adjustment of the distribution; requiring the Department of Revenue to distribute funds within 45 days of notification by the department; limiting annual distributions to \$15 million; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for discontinuation of distributions under certain circumstances; permitting the Department of Economic Opportunity and the Department of Revenue to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; authorizing the Department of Revenue and the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

By the Committee on Banking and Insurance; and Senator Brandes—

CS for SB 324—A bill to be entitled An act relating to the Florida Insurance Guaranty Association; reordering and amending s. 631.57, F.S.; revising the duties of the association; authorizing the association to collect regular assessments directly from policyholders; authorizing the association to collect emergency assessments from insurers under certain circumstances; making technical and grammatical corrections; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Abruzzo—

CS for SB 384—A bill to be entitled An act relating to grandparent visitation rights; creating s. 752.011, F.S.; authorizing the grandparent of a minor child to petition a court for visitation under certain circumstances; requiring a preliminary hearing; providing for the payment of attorney fees and costs by a petitioner who fails to make a prima facie showing of harm; authorizing grandparent visitation if the court makes specified findings; providing factors for court consideration; providing for application of the Uniform Child Custody Jurisdiction and Enforcement Act; encouraging the consolidation of certain concurrent actions; providing for modification of an order awarding grandparent visitation; limiting the frequency of actions seeking visitation; limiting application to a minor child placed for adoption; providing for venue; amending s. 752.015, F.S.; conforming references; creating s. 752.071, F.S.; providing conditions under which a court may terminate a grandparent visitation order upon adoption of a minor child by a stepparent or close relative; amending s. 39.01, F.S.; revising the definition of “next of kin” to include great-grandparents for purposes of various proceedings relating to children; amending s. 39.509, F.S.; providing for visitation rights of great-grandparents; amending ss. 39.801 and 63.0425, F.S.; providing for a great-grandparent’s right to notice of adoption; amending s. 63.172, F.S.; conforming provisions; repealing s. 752.01, F.S., relating to actions by a grandparent for visitation rights; repealing s. 752.07, F.S., relating to the effect of adoption of a child by a stepparent on grandparent visitation rights; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Dean—

CS for CS for SB 390—A bill to be entitled An act relating to veterans’ organizations; defining terms; prohibiting a business entity from advertising or holding itself out to the public as a veterans’ organization or similar entity under certain circumstances; providing that an entity that violates the restrictions on advertising violates the Florida Deceptive and Unfair Trade Practices Act; authorizing certain veterans’

organizations to enforce the prohibition against false advertising; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Bean—

CS for SB 472—A bill to be entitled An act relating to developmental disabilities; providing a short title; establishing the Developmental Disabilities Savings Program to allow for advance saving for services for children who have developmental disabilities and who will be ineligible for certain services due to age; providing legislative intent; defining terms; requiring the program to provide certain information; providing that the program may not be implemented until certain legal opinions are obtained; establishing the Developmental Disabilities Savings Program Board to administer the savings program; providing for board membership; specifying the powers, duties, and goals of the board; providing a sunset clause; providing a contingent effective date.

By the Committee on Judiciary; and Senator Stargel—

CS for SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a court may allow the landlord the opportunity to correct a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

By the Committees on Community Affairs; and Regulated Industries; and Senators Clemens and Sobel—

CS for CS for SB 500—A bill to be entitled An act relating to massage practice; amending s. 480.033, F.S.; revising the definition of the term "board-approved massage school"; amending s. 480.043, F.S.; requiring an application to be denied upon specified findings; amending s. 480.046, F.S., adding additional grounds for denial of a license; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing criminal penalties; amending s. 480.052, F.S., authorizing a county or municipality to waive the restriction on operating hours of a massage establishment in certain instances; amending s. 823.05, F.S.; declaring that a massage estab-

lishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Detert and Ring—

CS for SB 548—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.814, F.S.; requiring certain children applying for eligibility for a component of Kidcare to be offered the opportunity to be made presumptively eligible for the Kidcare program; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simpson—

CS for SB 550—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term "payment instrument"; applying certain provisions relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Altman—

CS for CS for SB 554—A bill to be entitled An act relating to brownfields; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; providing procedures for adoption of a resolution; providing requirements for notice and public hearings; authorizing local governments to use a term other than "brownfield area" when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; providing an effective date.

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

CS for SB 582—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring participating agencies to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring participating agencies to convene and attend a meeting when requested by a certain manufacturer; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring participating agencies to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

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

CS for CS for SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family";

prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

By the Committee on Regulated Industries; and Senator Hays—

CS for SB 642—A bill to be entitled An act relating to distilled spirits; amending s. 565.03, F.S.; providing definitions; revising provisions regarding a state license tax involved with the operation of distilleries; providing requirements for craft distilleries under certain conditions; prohibiting the shipment of certain distilled spirits; restricting license transferability and ownership affiliation; providing reporting requirements; providing requirements relating to the payment of taxes; providing for the adoption of rules; amending s. 561.14, F.S.; conforming a cross-reference; declaring that the provisions of this act are not severable; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Simpson—

CS for CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Clemens—

CS for SB 738—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; defining the term "sober house transitional living home" as it relates to the Hal S. Marchman Alcohol and Other Drug Services Act; amending s. 397.403, F.S.; requiring that an applicant seeking licensure for a proposed facility that would provide specified substance abuse services adhere to local, municipal, or county standards for zoning and occupancy; requiring such applicant to provide written notice to the chief executive officer of the appropriate local government before receiving licensure to operate a sober house transitional living home; requiring the applicant to stipulate certain criteria within the notice; exempting certain sober house transitional living homes from additional licensing as a service provider under ch. 397, F.S., under certain circumstances; requiring the local government to review the notification and to determine if the proposed home and its site comply with certain requirements; requiring the local government to notify the applicant and the Department of Children and Families of its determination; requiring each sober house transitional living home in existence on a certain date to apply for licensure with the department and give notice to the local government by a specified date; requiring the local government to notify the existing sober house transitional living home and the department of its determination; exempting existing sober house transitional living homes from complying with the distance requirement under certain circumstances; providing conflict resolution by informal mediation under certain circumstances; requiring the local government to arrange for services of an independent mediator or initiate dispute resolution proceedings; providing procedures for the mediation; providing construction; providing that a local government is not required to adopt a local ordinance under certain circumstances; providing that state law prevails over a local ordinance; providing that a local government is not precluded from adopting ordinances that govern facilities that offer certain substance abuse services; providing that the department may adopt rules to establish penalties or fines for failure to obtain a license to operate a sober house transitional living home; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simons—

CS for SB 834—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term “proprietary business information”; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Banking and Insurance; and Senator Simons—

CS for SB 836—A bill to be entitled An act relating to insurer solvency; creating s. 624.085, F.S.; providing definitions applicable to the Florida Insurance Code; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer’s annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; amending s. 625.121, F.S.; protecting material supporting an insurer’s annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company that a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to file annually by a specified date a registration statement; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing for sanctions for persons who violate s. 628.461, F.S., relating to the acquisition of controlling stock; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing a contingent effective date.

By the Committees on Transportation; and Community Affairs; and Senator Hukill—

CS for CS for SB 972—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met, and must provide the basis upon which landowners will be assessed a proportionate share of the cost of addressing certain transportation impacts; encouraging a local government that repeals transportation concurrency to adopt an alternative mobility funding system that is subject to certain requirements; amending s. 163.3182, F.S.; expanding the types of transportation projects that a transportation development authority may undertake or carry out; amending s. 190.006, F.S.; modifying the method for filling positions within the board of supervisors; providing an effective date.

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

CS for SB 1004—A bill to be entitled An act relating to public data; providing definitions; requiring each agency to submit an inventory in its custody to specified persons; specifying the information that must be included in each inventory; authorizing the Department of State to use fees collected and deposited in the Records Management Trust Fund for certain purposes; granting rulemaking authority to the department; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brandes—

CS for SB 1046—A bill to be entitled An act relating to insurance; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person’s consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term “authorized inspection agency”; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring each insurance agency to be under the control of an agent licensed to transact certain lines of insurance; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing a definition for the term “agent in charge”; providing that the designated agent in charge is liable for certain acts of misconduct; providing grounds for the Department of Financial Services to order operations to cease at certain insurance agency locations until an agent in charge is properly designated; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer’s designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer’s designee; providing that administrator withdrawals from a fiduciary account be made according to specific written agreements; providing that an insurer’s designee may authorize payment of claims; amending s. 626.884,

F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending s. 626.935, F.S.; conforming provisions to changes made by the act; amending s. 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to the insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.701, F.S.; revising requirements to issue or renew personal lines residential property insurance after a certain date; increasing the deductible amount for losses from perils other than hurricane; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to the certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a

neutral evaluator; authorizing the department to adopt rules; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a fee for payments returned due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of terms applicable to captive insurers; amending s. 628.905, F.S.; authorizing an industrial insured captive insurance company to write workers compensation and employer liability insurance in excess of a certain amount under certain conditions; conforming provisions to changes made by the act; redesignating the Office of Insurance Regulation instead of the Insurance Commissioner as the collector of certain fees and issuer of licenses; amending s. 628.907, F.S.; conforming provisions to changes made by the act; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; conforming provisions to changes made by the act; amending s. 628.9142, F.S.; conforming provisions to changes made by the act; amending s. 628.915, F.S.; conforming provisions to changes made by the act; amending s. 628.917, F.S.; conforming provisions to changes made by the act; amending s. 628.919, F.S.; requiring a pure captive insurance company to submit certain risk management standards to the Office of Insurance Regulation; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

By the Committee on Regulated Industries; and Senator Gardiner—

CS for SB 1048—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285, F.S.; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Hays—

CS for SB 1074—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; requiring specified entities to submit an inventory of underused property; requiring the department to adopt rules; amending s. 216.043, F.S.; requiring state agencies to explain why available underused property is not sufficient to meet their needs when requesting fixed capital outlay projects; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring state entities to submit a business plan if a building or parcel is offered for use to the entity; amending s. 255.248, F.S.; defining the terms "managing agency" and "tenant broker"; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; authorizing the department to implement renovations in order to more efficiently use state-owned buildings; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing

agency to report any vacant or underutilized space to the department; authorizing the department to adopt additional rules; amending s. 255.25, F.S.; reducing the amount of square feet which an agency may lease without department approval; deleting an exemption that allows an agency to negotiate a replacement lease under certain circumstances; requiring a state agency to use a tenant broker to assist with lease actions; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending s. 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; creating s. 255.46, F.S.; creating the Underused Property Maximization Program in the Department of Management Services; providing legislative intent and definitions; requiring governmental entities to submit data and the department to establish an inventory of underused property; requiring governmental entities to consult such inventory and, if suitable, submit a business case to the entity that owns or occupies the property; providing for the disposition of underused property; requiring the Auditor General to include findings relating to compliance with this section in any audits; authorizing the department to adopt rules; report energy consumption and cost data; amending s. 255.503, F.S.; authorizing the department to charge state employees fees for the use of parking facilities; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committee on Judiciary; and Senator Soto—

CS for SB 1210—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending s. 409.2564, F.S.; providing that the Department of Revenue may not undertake certain actions regarding paternity or support except in certain circumstances; providing that a parent is not eligible to receive assistance from the department for certain actions if the parent is being represented by a private attorney unless public assistance is being received; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; amending ss. 61.14, 61.1814, and 61.30, F.S.; conforming cross-references; providing an effective date.

By the Committee on Appropriations; and Senator Grimsley—

CS for SB 1258—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244,

627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Simmons—

CS for SB 1300—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

By the Committee on Judiciary; and Senator Galvano—

CS for SB 1384—A bill to be entitled An act relating to nursing home litigation; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of admissible evidence proffered by the parties which provides a reasonable basis for recovery of punitive damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient admissible evidence to ensure that there is a reasonable basis to believe that the claimant will be able to demonstrate by clear and convincing evidence that the recovery of punitive damages is appropriate; requiring the trier of fact to find by clear and convincing evidence that a specific person or corporate defendant actively and knowingly participated in intentional misconduct or engaged in conduct that constituted gross negligence and contributed to the loss, damages, or injury suffered by the claimant before punitive damages may be awarded; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to certain specified conduct before holding the licensee vicariously liable for punitive damages; providing an effective date.

By the Committee on Education; and Senator Montford—

CS for SB 1388—A bill to be entitled An act relating to instructional materials; creating s. 1006.283, F.S.; authorizing a district school board to review, adopt, and purchase instructional materials; requiring the district superintendent to notify the Department of Education if the district school board decides review, adopt and purchase instructional materials and to certify to the department that core instructional materials align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to set and collect fees from a publisher that participates in the instructional materials review process; providing a limit on fees; providing pricing requirements for instructional materials; requiring each district school board to submit an annual report to the Governor, the Legislature, and the State Board of Education by a specified date; amending s. 1006.29,

F.S.; requiring the Commissioner of Education to appoint state instructional materials reviewers, rather than state or national experts, to review instructional materials; providing requirements, composition, appointments, and terms for state instructional materials reviewers; authorizing the commissioner to remove a reviewer for cause; providing for public disclosure of names and mailing addresses of appointed state instructional materials reviewers; requiring a district school board to be reimbursed for the cost of hiring a substitute teacher for each work day that a member of its instructional staff is absent while rendering service as a reviewer; authorizing a stipend for service as a reviewer; requiring entitlement of payment for per diem and reimbursement for travel expenses for service as a reviewer; providing that payments for substitute teachers and reviewers be made from the Textbook Bid Trust Fund; requiring the Department of Education to post certain instructional materials on its website; authorizing the department to contract with a nonprofit organization or association to administer the review process; amending ss. 1006.37 and 1006.40, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simmons—

CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled “General Provisions”; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term “consultant”; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company’s investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the em-

ployment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the “Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act” to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled “Fire Safety and Prevention”; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms “high-hazard occupancy” and “state-owned building”; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary

before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm outbuildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate;

deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., re-

lating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for

location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 633.167, F.S.; deleting a provision providing for terms and conditions of probation; amending s. 633.517, F.S.; deleting a provision authorizing the State Fire Marshal to administer oaths and take testimony; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

By the Committee on Health Policy; and Senator Hays—

CS for SB 1482—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from

certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

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

CS for SB 1490—A bill to be entitled An act relating to business entity filing fees; amending ss. 607.0122, 608.452, 617.0122, and 620.1109, F.S.; combining certain individual fees into one initial filing fee, revising fees, and requiring the imposition of a late charge under certain circumstances for a corporation for profit, a limited liability company, a corporation not for profit, a domestic limited partnership, and a foreign limited partnership, respectively; amending s. 620.81055, F.S.; revising fees and requiring the imposition of a late charge under certain circumstances for a limited liability partnership; repealing s. 607.193, F.S., relating to supplemental corporate fees; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Gibson—

CS for SB 1650—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring licensed child care facilities to implement certain additional nutritional practices; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Joyner—

CS for SB 1682—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term “boarding school”; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; providing an exemption for the reporting requirements; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is being provided without a license; requiring background screening for certain boarding school personnel; defining the term “direct student contact”; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; providing that children other than foreign citizens may not be year-round residents; amending s. 409.176, F.S.; providing notification requirements for qualified associations for specified violations; providing reporting requirements for the qualified association regarding Type II facilities; authorizing the Department of Children and Families to adopt rules; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Altman—

CS for SB 1684—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of forms, documents, fees, and reports required for certain permits; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; exempting lessees of certain docks from lease fees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a

result of activities relating to sources that are resistant to drought; providing an exception; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts; prohibiting government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well construction licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs; requiring the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; requiring the governing boards of water management districts to assist self-suppliers, among others, in meeting water supply demands; authorizing the governing boards to contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; requiring water management districts to coordinate and cooperate with the Department of Agriculture and Consumer Services for regional water supply planning; providing criteria and requirements for determining agricultural water supply demand projections; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiaries”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of forms, documents, fees, and reports required for certain permits; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.7046, F.S.; revising requirements relating to recovered materials; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program; providing program requirements; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 1716—A bill to be entitled An act relating to growth management; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for new business development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Garcia—

CS for SB 1724—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., entitled “Transitional Living Facilities”; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a li-

censee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; authorizing the agency to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; repealing s. 400.805, F.S., relating to transitional living facilities; providing that every transitional living facility licensed under s. 400.805, F.S., on or before a specified date is licensed under the provisions of the act; amending s. 381.745, F.S.; revising a definition; amending s. 381.75, F.S.; revising the duties of the Department of Health as they relate to transitional living facilities; amending s. 381.78, F.S.; conforming provisions to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Rules; and Appropriations; and Senators Braynon and Abruzzo—

CS for CS for SB 306—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority-plus-one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposal; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for non-application of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definition of the terms “international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; pro-

viding that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms “applicant,” “agreement,” “beneficiary,” “facility,” “major professional sports franchise,” “sports franchise or association,” “off-season sports training franchise,” “project,” and “signature event”; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period from June 1 to November 1; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by February 1; requiring legislative approval for state funding; providing for a contract between the department and the applicant; providing evaluation criteria for an applicant to receive state funding; providing for reimbursement of the state funding under certain circumstances; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; providing for adjustment of the distribution; requiring the Department of Revenue to distribute funds within 45 days of notification by the department; limiting annual distributions to \$15 million; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for discontinuation of distributions under certain circumstances; permitting the Department of Economic Opportunity and the Department of Revenue to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; authorizing the Department of Revenue and the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Grimsley—

CS for SB 732—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Health Policy; and Senator Flores—

CS for SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the imposition of the fine; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Hays—

CS for SB 1482—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

—was referred to the Committees on Judiciary; and Appropriations.

**MESSAGES FROM THE GOVERNOR AND
OTHER EXECUTIVE COMMUNICATIONS**

**EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION
BY THE SENATE:**

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Florida Building Code Administrators and Inspectors Board	
Appointee: Francis, Wayne A., Brandon	10/31/2016
Board of Trustees of Northwest Florida State College	
Appointee: Flynt, Michael M., Sr., Miramar Beach	05/31/2014
Board of Trustees of St. Johns River State College	
Appointee: Webb, Mary Ellen, St. Augustine	05/31/2013
Board of Massage Therapy	
Appointee: Burke-Wammack, Bridget K., Tallahassee	10/31/2016
Board of Physical Therapy Practice	
Appointee: Tasso, Kay H., Ponte Vedra	10/31/2016
Florida Prepaid College Board	
Appointee: Champion, Robert C., Ponte Vedra Beach	06/30/2014
Withlacoochee Regional Planning Council, Region 5	
Appointee: Craig, Avis Marie, Crystal River	10/01/2015
Southwest Florida Regional Planning Council, Region 9	
Appointee: Karau, Melvin E., Ft. Denaud	10/01/2015
Governing Board of the Suwannee River Water Management District	
Appointee: Johns, Virginia H., Gainesville	03/01/2017
Referred to the Committee on Ethics and Elections.	
<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, University of Florida	
Appointee: Thomas, David M., Windermere	01/06/2018

Referred to the Committees on Education; and Ethics and Elections.

Office and Appointment

*For Term
Ending*

Governing Board of the Southwest Florida Water Management District

Appointee: Mann, George W. III, Polk City 03/01/2017

Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.

Office and Appointment

*For Term
Ending*

Investment Advisory Council

Appointee: Collins, Peter H., Tampa 12/12/2016

Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 27 and April 3 were corrected and approved.

CO-INTRODUCERS

Senators Bean—CS for SB 422; Brandes—CS for SB 422; Bullard—SB 1164; Gaetz—CS for SB 422; Galvano—CS for SB 422; Gardiner—CS for SB 422; Grimsley—CS for SB 422; Joyner—CS for SB 422; Latvala—CS for SB 378, CS for SB 422; Lee—CS for SB 422; Legg—CS for SB 422; Richter—CS for SB 422; Sachs—CS for SB 422; Simmons—CS for SB 422; Soto—SR 1788; Thrasher—CS for SB 422

MOTION

On motion by Senator Thrasher, the Special Order Calendar Group was granted permission to meet at 5:45 p.m. in lieu of 5:55 p.m. as scheduled this day.

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 10 or upon call of the President.



Journal of the Senate

Number 10—Regular Session

Tuesday, April 9, 2013

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REPORTS OF COMMITTEES

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 1048

The Committee on Judiciary recommends the following pass: CS for SB 1404

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

The Committee on Criminal Justice recommends the following pass: CS for SB 644

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 226

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

The Committee on Agriculture recommends the following pass: CS for SB 1684

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Judiciary recommends the following pass: SB 590

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1680

The Committee on Criminal Justice recommends the following pass: SB 250

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 634; SB 876; SB 974

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for CS for SB 58; SB 736

The Committee on Commerce and Tourism recommends the following pass: CS for SB 528

The Committee on Ethics and Elections recommends the following pass: SM 970

The Committee on Judiciary recommends the following pass: SB 706; SB 986

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

The Committee on Commerce and Tourism recommends the following pass: SB 282

The Committee on Judiciary recommends the following pass: CS for CS for SB 398; CS for SB 964; SM 1478

The bills were placed on the Calendar.

The Committee on Agriculture recommends a committee substitute for the following: CS for SB 1588

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1350; CS for SB 1448

The bills with committee substitute attached were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1394

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

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 1632

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 1210

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 458; CS for CS for SB 534; SB 1770

The Committee on Commerce and Tourism recommends a committee substitute for the following: CS for SB 1300

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 650

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends committee substitutes for the following: CS for CS for SB 1110; CS for SB 1140; SB 1750

Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 980; CS for SB 1664

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for CS for SB 556; CS for SB 564; CS for SB 770

Appropriations Subcommittee on General Government recommends a committee substitute for the following: CS for SB 1628

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

Florida Public Service Commission

Appointee: Edgar, Lisa B.

*For Term
Ending*

01/01/2017

The appointment was referred to the Committee on Ethics and Elections under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Appropriations—

SB 1852—A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing an appropriation from the Local Government Housing Trust Fund and the State Housing Trust Fund to the Department of Economic Opportunity for specified purposes; providing appropriations from the General Revenue Fund to the State Court System for specified purposes; providing appropriations from the General Revenue Fund to the Department of Legal Affairs, Office of the Attorney General, for specified purposes and providing legislative findings; providing that the appropriations of this act are contingent upon the deposit of a specified sum into the state treasury as a result of a specified consent judgment; providing an effective date.

—was referred to the Committee on Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senators Ring and Bradley—

CS for CS for SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.021, F.S.; re-

vising the legislative declaration to require all plans to meet the requirements of ch. 175, F.S., in order to receive insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and adding new definitions; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality or special fire control district to the firefighters' pension trust fund; amending s. 175.162, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 175, F.S., under certain time-limited circumstances; amending s. 185.01, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 185, F.S., in order to receive insurance premium tax revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and adding new definitions; deleting a provision allowing a local law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality to the police officers' retirement trust fund; amending s. 185.16, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 185, F.S., under certain time-limited circumstances; providing a declaration of important state interest; providing an effective date.

By the Committees on Appropriations; Community Affairs; and Governmental Oversight and Accountability; and Senators Brandes and Bradley—

CS for CS for CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.63, F.S.; deleting the requirement that required actuarial reports for retirement plans include a disclosure of the present value of the plan's benefits; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

By the Committees on Criminal Justice; and Agriculture; and Senator Sachs—

CS for CS for SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowl; creating s. 828.1615, F.S.; providing that it is unlawful to sell, barter, or give away animals or fowl that have been dyed or colored; providing that it is unlawful to sell, offer to sell, or give away certain animals of a certain age to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; and Judiciary; and Senator Soto—

CS for CS for SB 1210—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior

notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

By the Committees on Commerce and Tourism; and Judiciary; and Senator Simmons—

CS for CS for SB 1300—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; providing fees; establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

By the Committee on Criminal Justice; and Senator Bradley—

CS for SB 1350—A bill to be entitled An act relating to criminal penalties; amending s. 775.082, F.S.; providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring that a judge consider certain factors before determining if life imprisonment is an appropriate sentence; providing an effective date.

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

CS for SB 1394—A bill to be entitled An act relating to motorsports entertainment complexes; creating s. 212.094, F.S.; providing definitions; providing an exemption from the sales and use tax for building materials used in the construction, reconstruction, expansion, or renovation of certain certified motorsports entertainment complexes through a refund of previously paid taxes; providing procedures for applying for authority to earn a tax refund; providing procedures for certifying a refund for completed projects; providing procedures for applying for a refund; providing audit authority and procedures for recapturing refunds under specified circumstances; providing rulemaking authority; providing for specified reductions in certain local government half-cent sales tax distributions; creating s. 212.0943, F.S.; authorizing a motorsports entertainment complex to apply for a tax refund of sales and use taxes; limiting the expenditure of such funds provided to a certified

applicant to specified public purposes; authorizing the Department of Revenue to audit the expenditure of such funds and to pursue recovery of improperly expended funds; creating s. 212.0944, F.S.; providing that a master developer of a certified motorsports entertainment complex is eligible for a sales tax refund of a specified percentage of any increase in sales tax collections within the complex over a specified base year; providing procedures, requirements, and limitations with respect to the acquisition and use of such tax refunds; limiting the availability of such refunds to a specified period; defining the term “master developer”; authorizing the Department of Revenue to audit the expenditure of such funds and to pursue recovery of improperly expended funds; amending s. 212.20, F.S.; providing for a monthly distribution of a specified amount of sales tax revenue to a facility certified by the Department of Economic Opportunity as a motorsports entertainment complex; providing that a certified motorsports entertainment complex applicant may not receive certain sales tax distributions in excess of the expenditures the applicant has made for specified public purposes; providing an effective date.

By the Committees on Criminal Justice; and Health Policy; and Senator Smith—

CS for CS for SB 1448—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule III controlled substances certain specified materials, compounds, mixtures, or preparations that promote muscle growth or otherwise enhance athletic performance; adding human chorionic gonadotropin to the list of Schedule III controlled substances; reenacting s. 893.12(1)-(6), F.S., relating to prohibited acts involving controlled substances, to incorporate the amendments made to s. 893.03, F.S., in references thereto; reenacting s. 921.0022(3)(b)-(e), F.S., relating to the Criminal Punishment Code offense severity ranking chart, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committees on Agriculture; and Commerce and Tourism; and Senator Evers—

CS for CS for SB 1588—A bill to be entitled An act relating to used tires; prohibiting the sale of unsafe used tires by used tire retailers under certain circumstances; providing an exception; providing what constitutes an unsafe used tire; providing that a person who violates this section commits an unfair and deceptive trade practice; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senator Latvala—

CS for CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned com-

mercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, and certain displays on specific sports facilities; providing for the removal of signs if certain exemptions do not apply because the allocation of federal funds to the department will be adversely impacted; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department's acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance—

CS for SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; creating s. 215.5551, F.S.; creating the Florida Catastrophe Risk Capital Access Facility to increase the access of small domestic insurers to risk-capital markets; providing intent; establishing the facility in the State Board of Administration; providing the purposes of the facility; requiring the facility to be funded entirely by participating insurers after initial apportionment; providing limitations; providing for a board of directors; providing immunity from liability; providing for an annual report; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the

Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; requiring the Florida Commission on Hurricane Loss Projection Methodology to consider methods for improving the accuracy of wind mitigation discounts; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; revising the criteria for when the office may hold a public hearing regarding a rate filing; amending s. 627.171, F.S.; allowing a consent to an excess rate to apply to subsequent policy renewals; limiting the allowable amount of excess rates to counties where there is no competition; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk load factor; providing exceptions; limiting rate increases for specified personal and commercial lines residential policies and allowing an additional rate increase; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; amending s. 627.405, F.S.; authorizing policyholders to assign benefits subject to conditions in the policy; amending s. 627.410, F.S.; conforming provisions to changes made by the act; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Health Policy; and Banking and Insurance; and Senator Hukill—

CS for CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates and forms; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation's approval process; requiring an informational

filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

—was placed on the Calendar.

By the Committee on Regulated Industries; and Senator Hays—

CS for SB 642—A bill to be entitled An act relating to distilled spirits; amending s. 565.03, F.S.; providing definitions; revising provisions regarding a state license tax involved with the operation of distilleries; providing requirements for craft distilleries under certain conditions; prohibiting the shipment of certain distilled spirits; restricting license transferability and ownership affiliation; providing reporting requirements; providing requirements relating to the payment of taxes; providing for the adoption of rules; amending s. 561.14, F.S.; conforming a cross-reference; declaring that the provisions of this act are not severable; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 1716—A bill to be entitled An act relating to growth management; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for new business development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability;

providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

—was referred to the Committee on Education.

ENROLLING REPORTS

SB 200, SB 202, SB 204, SB 206, SB 208, SB 210, SB 212, CS for SB 214, SB 216, SB 218, SB 220, SB 686, SB 688, CS for SB 690, SB 692, SB 694 and SB 994 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 9, 2013.

Debbie Brown, Secretary

CO-INTRODUCERS

Senators Grimsley—CS for SB 378, SB 1832; Soto—SB 704

SENATE PAGES

April 8-12, 2013

Gabriella Benacquisto, Fort Myers; Michael Cenedella, Tallahassee; Chris Cepil, Ocala; Austin Chapman, St. Augustine; Brad Cloversettle, Dade City; Larija Henry, Tallahassee; Lauren Maunus, Palm City; Breanna NeSmith, Tallahassee; Cameron Siefker, Tallahassee; Benjamin Sundook, Wellington; Savannah Valentine, Winter Haven; Cole Williams, Tallahassee; Janise Wilson, Jacksonville



Journal of the Senate

Number 11—Regular Session

Wednesday, April 10, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

PRAYER

The following prayer was offered by Rev. Betsy Ouellette-Zierden, Pastor, Good Samaritan United Methodist Church, Tallahassee:

Almighty God, creator and sustainer of life, we give you thanks for your faithfulness to us. Springtime in Tallahassee is a reminder that the grass turns green again, the dogwoods and azaleas will bloom, and we can trust the rhythm that includes legislative session and the challenges and opportunities it brings to the citizens of our beloved state and to our leaders.

Grant our Florida State Senators good judgment, creative thinking, and the ability to hear from you, God, the people of Florida, and from one another so that the decisions they make are for the benefit of all concerned. Give their families and staffs the energy and grace to support them and stand beside them as the work of the Senate is carried out.

Where there is disagreement amongst our Senate leaders, let respect and humility carry the day. Where there is unity, may it be celebrated as an opportunity to pursue shared goals in the best interest of Florida.

Finally, this morning we give thanks to you, Lord God, for something we all can agree on—the blessing of living in a country of laws and good government. We ask for protection for those who are currently serving in our armed forces, and we remember those who have given their lives in service to our nation, one nation, under God, indivisible, with liberty and justice for all. Amen.

PLEDGE

Senate Pages Savannah Valentine of Winter Haven; Benjamin Sundook of Wellington; Lauren Maunus of Palm City; Breanna NeSmith of Tallahassee; and Gabriella Benacquisto of Fort Myers, daughter of Senator Benacquisto, 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. Ryan Jawitz of Bradenton, sponsored by Senator Galvano, as doctor of the day. Dr. Jawitz specializes in Dermatology.

ADOPTION OF RESOLUTIONS

On motion by Senator Galvano—

By Senator Galvano—

SR 1846—A resolution commending the Phi Theta Kappa 2013 All-Florida Academic Team.

WHEREAS, Phi Theta Kappa, the esteemed international honor society for state and community college students, is recognized internationally, nationally, and in this state as the primary community college organization for the recognition of academic achievement, leadership, and service to the community, and

WHEREAS, 125 students from the Florida College System and two private institutions were named to the Phi Theta Kappa 2013 All-Florida Academic Team, and

WHEREAS, based on the national ranking of these students in the All-USA Academic Team competition sponsored by USA Today and Phi Theta Kappa, the following students comprise the 2013 All-Florida Academic Team: Brenda Acevedo, Florida Gateway College; Naimah Alamin, Indian River State College; Juan Alderete, Broward College; Rachel Andrews, Pensacola State College; Amanda Arce, Hillsborough Community College; Frederick Ashby, Seminole State College of Florida; Angela Bardwell-Owens, Valencia College; Alexandria Beasley, College of Central Florida; Stacey Bowcott, Lake-Sumter State College; Garrett Bremer, Hillsborough Community College; Jessica Britt Viera, Seminole State College of Florida; Dawn Brooks, Keiser University; Richard Brown, Lake-Sumter State College; Jessica Brown, St. Johns River State College; Kristen Brown, St. Petersburg College; Susan Cabrera, Hillsborough Community College; Diane Castillo, Seminole State College of Florida; Lisa Charney, St. Johns River State College; Craig Corlis, St. Petersburg College; Casey Covell, Brevard Community College; Jennifer Creamer-White, Pasco-Hernando Community College; Alivia Dandurand, Brevard Community College; Maria Lourdes De Las Cuevas, Miami Dade College; Rosendo De Vicente, Miami Dade College; Rafael Diaz, Miami Dade College; Justin Donakowski, Lake-Sumter State College;

Jodian Dunann, Broward College; Kemone Eldridge, Indian River State College; Cameron Felski, Brevard Community College; Elizabeth Fernandez, Miami Dade College; Jessica Figueroa, Broward College; Vanessa Fleites, Miami Dade College; Brandon Fong, St. Petersburg College; Fiorella Gallo, Seminole State College of Florida; Christine Gambino, State College of Florida, Manatee-Sarasota; Brett Gernert, Daytona State College; Nicole Gomez, College of Central Florida; Samantha Gross, Daytona State College; Brittany Haas, Indian River State College; William Hammontree, Florida College; Tara Hazel, Indian River State College; Madeline Heath, State College of Florida, Manatee-Sarasota; Cameron Henry, Florida Keys Community College; Jennifer Hill, Pensacola State College; Catrina Hopkins, St. Petersburg College; Andres Hortensi, Miami Dade College; Blakelyn Hoyt, St. Johns River State College; Catherine Hudson, St. Johns River State College; Terrenca Iles, Pasco-Hernando Community College; Katrina Jammer, Northwest Florida State College; Diana Jarrard, Hillsborough Community College; Jessica Johnston, Pasco-Hernando Community College; Jacob Jordan, South Florida State College; Sherry Katheren, College of Central Florida; Austin Kercheville, Florida College; Tecla Kindschi, Brevard Community College; Eunmi Ko, St. Petersburg College; Connie Koehler, Indian River State College; Stephanie Kupiec, Palm Beach State College; Erica Laboissoniere, Santa Fe College; Andrew Land, North Florida Community College; Stephanie Lansford, Florida Gateway College; Julia Lashure, Broward College; Karen Lewandowski, Hillsborough Community College; Charlene Maine, Daytona State College; Mahru Malekiha, Miami Dade College; Mahsa Malekiha, Miami Dade College; Monica Manjarres, Polk State College; Alexander Manjarres, Polk State College; Amanda Mazzella, Brevard Community College; Morgan McLaughlin, Northwest Florida State College; William McNair, Northwest Florida State College; McKenzie Merritt, Indian River State College; Christones Michel, Miami Dade College; Kimberly Miller, Edison State College; Steve Minciulescu, Daytona State College; Gustavo Monaco Berta, Indian River State College; Michelle Morales-Pineda, Valencia College; Jeffrey Morris, Broward College; Jessica Mueller, Edison State College; Christopher Naulty, Brevard Community College; Thao Nguyen, Hillsborough Community College; Jessica Ocariz, Miami Dade College; Lidia O'Shields, State College of Florida, Manatee-Sarasota; Richard Parada, Seminole State College of Florida; Hinesha Patel, Daytona State College; Tiffany Perez, Valencia College; Adriana Perez-Leyva, Miami Dade College; Bryana Perkins, Pasco-Hernando Community College; Selena Phillips, North Florida Community College; Thomas Luke Pittman, Valencia College; Johanna Poblano, Palm Beach State College; Sarah Power, Santa Fe College; Kamal Qumbargi, Indian River State College; Mc Harry Ramos, South Florida State College; Kristen Richard, Northwest Florida State College; Lisa Rios, Gulf Coast State College; Steven Rivadeneira, Miami Dade College; Andres Roque, Miami Dade College; Jessica Roubert, Pasco-Hernando Community College; Brian Rushing, Hillsborough Community College; Olben Saint Fleur, Indian River State College; Sara Sanchez, Miami Dade College; Duane Santana, Florida State College at Jacksonville; Nicole Schuyler, Hillsborough Community College; Gisella Segarra, Broward College; Kelly Simms, College of Central Florida; Laura Stevens, Palm Beach State College; Lisa Stevens, St. Petersburg College; Kim Stingo, Palm Beach State College; Elizabeth Stropole, Daytona State College; Stephanie Summers, Indian River State College; James Thermidor, Edison State College; Maria Thurber, St. Petersburg College; Kaylee Toole, Chipola College; Marsha Vickers, St. Johns River State College; Nassia Wakey, State College of Florida, Manatee-Sarasota; John Whittington, Chipola College; Darrin Williams, Hillsborough Community College; Jacob Wilson, Polk State College; Shantel Young, Brevard Community College; Ashley Young, Hillsborough Community College; Ying Zhang, Lake-Sumter State College; Dora Zion, Gulf Coast State College; Jenna Zuyus, Daytona State College; and

WHEREAS, each member of the Phi Theta Kappa 2013 All-Florida Academic Team has demonstrated impressive intellect and leadership, and a determination to achieve academic excellence, and

WHEREAS, the outstanding efforts of the members of the Phi Theta Kappa 2013 All-Florida Academic Team have earned for themselves and their academic institutions the respect and admiration of this body and of all Floridians, NOW, THEREFORE,

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

That we commend the Phi Theta Kappa 2013 All-Florida Academic Team for their outstanding academic achievement and commitment to service to their respective communities.

—was introduced out of order and read by title. On motion by Senator Galvano, **SR 1846** was read the second time by title and adopted.

At the request of Senator Joyner—

By Senator Joyner—

SR 1298—A resolution recognizing April 2013 as “Fair Housing Month” in Florida.

WHEREAS, Title VIII of the Civil Rights Act of 1968 and the Fair Housing Act of 1988 prohibit discrimination based on race, color, religion, sex, national origin, disability, or familial status in the sale, rental, and financing of dwellings, and

WHEREAS, in 1983, the Florida Legislature enacted the Florida Fair Housing Act to ensure that the state make every effort to provide fair housing to all residents of this state and to prohibit discrimination in the sale or rental of any dwelling because of race, color, national origin, sex, or religion, and the act was amended in 1988 to include the bases of disability and familial status, and

WHEREAS, the United States Department of Housing and Urban Development has proclaimed April as “National Fair Housing Month,” launching awareness campaigns to commemorate the historical passage of this landmark legislation, increasing the public’s understanding of the many protections of the Civil Rights Act, and encouraging communities to remember and celebrate more than 45 years of housing successes, and

WHEREAS, because government and private entities may pursue certain practices that could have a disproportionately harmful effect on minorities protected by the Fair Housing Act of 1968, the United States Department of Housing and Urban Development recently issued regulations endorsing the use of “disparate impact” standards that will serve as a powerful tool in promoting fair housing opportunities, encouraging meaningful housing integration, and ensuring fair and equal treatment in the areas of mortgage lending, homeowners’ insurance, exclusionary zoning, and admissions and redevelopment or demolition practices in public housing, and

WHEREAS, the Florida Commission on Human Relations, as statutorily authorized, conducts thorough and timely investigations of housing discrimination complaints and, as a result of its investigative efforts, has found that housing discrimination continues to exist in this state, with disability, race, national origin, familial status, and sex constituting the top five bases for housing discrimination during the 2011-2012 fiscal year, and

WHEREAS, the Florida Commission on Human Relations continually strives to reach out and educate members of the housing industry to ensure that they are informed of fair housing laws and their responsibilities in educating the public on housing rights and engaging in community partnerships so that all persons are afforded every opportunity to be treated fairly and are provided equal access to adequate and affordable housing without undue discrimination, prejudice, or barriers, NOW, THEREFORE,

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

That we recognize April 2013 as “Fair Housing Month” in Florida and encourage state and local governmental leaders and communities and individuals throughout this state to observe Fair Housing Month through ceremonies and activities celebrating historical and future efforts to ensure fair and equal access to housing for all Floridians.

—**SR 1298** was introduced, read and adopted by publication.

At the request of Senator Bean—

By Senator Bean—

SR 1758—A resolution recognizing April 11, 2013, as “Higher Education Day” in Florida.

WHEREAS, Florida’s public higher education institutions educate more than 310,000 students annually in diverse fields, from archaeology

to zoology, and prepare them for careers of accomplishment and service, and

WHEREAS, the State University System of Florida is one of the largest public university systems in the United States, consisting of 12 institutions and 30 branch campuses across the state, and

WHEREAS, the Florida College System consists of 28 state and community colleges and educates more than 900,000 students annually, including 65 percent of high school graduates pursuing postsecondary education and 82 percent of freshman and sophomore minority students, and

WHEREAS, it is projected that graduates of the State University System and the Florida College System will continue, as they have in the past, to add value to Florida's economy by virtue of their lifetime earnings, and

WHEREAS, it is estimated that the present value of lifetime earnings attributed to State University System graduates employed in Florida will total \$30.9 billion over a 30-year work life, or approximately \$1 billion annually in 2010 dollars, and

WHEREAS, Florida College System institutions are nationally recognized for excellence, with the Aspen Institute selecting Valencia College as the winner of the 2011 Aspen Prize for best community college in the nation, with outstanding academic and workforce outcomes, and

WHEREAS, Santa Fe College, Miami Dade College, and Broward College have all been recent top-10 finalists for the Aspen Prize, and

WHEREAS, this state's public higher education institutions are known nationwide for offering students tremendous value for their education dollars, and

WHEREAS, enrollment in the State University System totaled 312,259 students during the 2009 fall semester, with more than 90 percent of those students Florida residents and nearly 80 percent of them enrolled in undergraduate programs, and

WHEREAS, the State University System has an annual economic impact of nearly \$80 billion and employs more than 58,000 faculty and staff, creating more than 771,000 Florida-based jobs, or nearly 8 percent of the state's total workforce, and

WHEREAS, a compelling 7 percent of this state's gross domestic product is directly linked to the State University System, which is significant given Florida's ranking among the world's top economies, and

WHEREAS, this state's public higher education institutions are leaders in their regions, providing academic, cultural, and economic contributions that enhance quality of life and build strong communities, NOW, THEREFORE,

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

That we recognize April 11, 2013, as "Higher Education Day" in Florida.

—**SR 1758** was introduced, read and adopted by publication.

At the request of Senator Garcia—

By Senator Garcia—

SR 1790—A resolution recognizing November 11-17, 2013, as "Spinal Cord Injury Awareness Week" in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the "information superhighway" of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and loss of muscle control, and

WHEREAS, currently there are approximately 270,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 12,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 25 percent of all injuries occurring between the ages of 17 and 23, and 51 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, acts of violence, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from \$334,170 to more than \$1 million the first year after injury, with an estimated lifetime cost ranging between \$1.5 million and \$4.5 million depending on the severity of injury, and

WHEREAS, over the past two decades, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 11-17, 2013, working with local governments and schools to educate Floridians about the causes of and treatments for spinal cord injuries, as well as informing the public on how to prevent these injuries from taking place, NOW, THEREFORE,

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

That November 11-17, 2013, is recognized as "Spinal Cord Injury Awareness Week" in the State of Florida.

—**SR 1790** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 86** was deferred.

CS for CS for SB 92—A bill to be entitled An act relating to searches and seizures; creating the "Freedom from Unwarranted Surveillance Act"; defining the terms "drone" and "law enforcement agency"; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for SB 92** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Clemens	Gibson
Abruzzo	Dean	Grimsley
Altman	Detert	Hays
Bean	Diaz de la Portilla	Hukill
Benacquisto	Evers	Joyner
Bradley	Flores	Latvala
Brandes	Galvano	Lee
Braynon	Garcia	Legg
Bullard	Gardiner	Margolis

Montford	Simmons	Soto
Negron	Simpson	Stargel
Richter	Smith	Thompson
Ring	Sobel	Thrasher

Nays—None

Consideration of **CS for SB 1762** was deferred.

Nays—None

CS for CS for SB 1660—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop and periodically update performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications or notification of entities that are eligible for the award; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive cancer care solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by a specified date, and annually thereafter, the status of implementing the award program; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; amending s. 381.922, F.S.; authorizing endowments under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at integrated research and care institutions contingent upon an appropriation; providing procedures if the endowed chair becomes vacant; requiring that research institutions report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

—as amended April 4 was read the third time by title.

On motions by Senator Flores, **CS for CS for SB 1660** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

CS for CS for SB 1720—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction; revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state’s highest performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; providing duties and responsibilities of an advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance and subject to appropriation; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; defining the term “developmental education” as it relates to public postsecondary education; amending s. 1004.43, F.S.; transferring oversight of the H. Lee Moffitt Cancer Center and Research Institute to the Board of Trustees of the University of South Florida; requiring the Board of Trustees to enter into a lease agreement for use of certain land and facilities; providing for the terms of the lease; requiring the University of South Florida and the Florida not-for-profit corporation that governs and operates the H. Lee Moffitt Cancer Center and Research Institute to enter into an agreement to review construction plans and specifications for consistency of certain criteria; revising the membership of the board of directors for the not-for-profit corporation; deleting the requirement that the Board of Governors provide for certain approvals of the articles of incorporation of the not-for-profit corporation and use of land and facilities for certain purposes; requiring the not-for-profit corporation to cause to be prepared annual financial audits; requiring the not-for-profit corporation to provide equal employment opportunities; providing for the governance and operation of the facilities if the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida, rather than the Board of Governors, is terminated; requiring the chief executive officer to report annually to the Board of Governors on the educational activities of the not-for-profit corporation; providing for the creation and duties of an external advisory board; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and

computation skills that are essential to perform college-level work; deleting a prohibition against a student's enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations of noncompliance with law or Board of Governors' rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.; excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming terminology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Law Revision and Information; providing an effective date.

—as amended April 4 was read the third time by title.

Senator Galvano moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (386162) (with title amendment)—Delete lines 272-517.

And the title is amended as follows:

Delete lines 21-42 and insert: developmental education; amending s. 1004.02, F.S.; defining the

Amendment 2 (944710) (with title amendment)—Delete lines 835-949.

And the title is amended as follows:

Delete lines 78-85 and insert: the college-preparatory program; amending s. 1007.23, F.S.; revising the

Senator Gibson moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (242598)—Delete lines 1315-1317 and insert:

4. *Limits on credit course enrollment for students indicating the need for preparatory assistance based on assessed skill levels.*

Senator Galvano moved the following amendment which was adopted by two-thirds vote:

Amendment 4 (892546) (with title amendment)—Delete lines 1456-1469.

And the title is amended as follows:

Delete lines 149 and 150.

On motions by Senator Galvano, **CS for CS for SB 1720** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Galvano	Montford
Altman	Garcia	Negron
Bean	Gardiner	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Dean	Hukill	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thrasher

Nays—7

Abruzzo	Clemens	Thompson
Braynon	Joyner	
Bullard	Sachs	

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Dave Aronberg, Palm Beach County State Attorney, who was present in the chamber.

CS for CS for SB 1076—A bill to be entitled An act relating to K-20 education; amending s. 1000.03, F.S.; providing for comprehensive K-20 career and education planning; amending s. 1000.21, F.S.; providing that Next Generation Sunshine State Standards include specified common core standards; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center; providing governing board membership and responsibilities; amending s. 1002.3105, F.S.; providing additional academically challenging curriculum options; amending s. 1002.33, F.S.; conforming provisions; amending s. 1002.37, F.S.; revising funding for the Florida Virtual School based on student completion of end-of-course assessments; repealing s. 1002.375, F.S., relating to an alternative credit for high school courses pilot project; amending s. 1002.45, F.S.; revising funding for virtual instruction programs based on student completion of end-of-course assessments; amending s. 1003.02, F.S.; conforming provisions; amending s. 1003.03, F.S.; revising implementation options to meet class size requirements; amending s. 1003.41, F.S.; revising requirements for the Next Generation Sunshine State Standards; repealing s. 1003.413, F.S., relating to the Florida Secondary School Redesign Act; amending s. 1003.4156, F.S.; revising middle grades promotion requirements; conforming provisions relating to the statewide, standardized assessment program; revising career and education planning course content; revising remediation strategies; amending s. 1003.4203, F.S.; requiring the availability of digital materials in prekindergarten through grade 12;

providing for digital recognition and certificate programs; amending s. 1003.428, F.S.; including financial literacy within the economics course required for high school graduation; conforming provisions; amending s. 1003.4281, F.S.; conforming provisions; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing for a standard college and career high school diploma and course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; providing for a scholar designation, an industry designation, or a waiver designation on the diploma; creating s. 1003.4286, F.S.; providing for the award of a standard high school diploma to honorably discharged veterans pursuant to rule; repealing s. 1003.429, F.S., relating to accelerated high school graduation options; amending s. 1003.4295, F.S.; conforming provisions; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; amending s. 1003.433, F.S.; conforming provisions; amending s. 1003.435, F.S.; deleting a rulemaking requirement relating to high school equivalency diplomas; amending s. 1003.436, F.S.; providing a reference to the Credit Acceleration Program for purposes of defining the term “credit”; amending ss. 1003.438, 1003.491, 1003.4935, 1003.51, 1003.621, and 1004.935, F.S.; conforming provisions; amending s. 1007.271, F.S.; authorizing career dual enrollment students to earn industry certifications for credit toward high school graduation; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English Language Arts and mathematics; providing requirements for assessment scores, achievement levels, assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; providing for instructional sequencing of courses, including industry certifications; conforming provisions relating to student assessment, remediation, retention, and progression; deleting unfunded and inactive programs and reporting requirements; revising school district reporting requirements; amending ss. 1008.30 and 1008.34, F.S.; conforming provisions; creating s. 1008.44, F.S.; providing requirements for industry certifications, an industry certification funding list, and a postsecondary industry certification funding list for distribution of funding to school districts and Florida College System institutions; amending s. 1011.61, F.S.; revising provisions relating to funding for students in virtual instruction programs, the Florida Virtual School, and regular instructional programs based on student completion of end-of-course assessments; amending s. 1011.62, F.S.; revising provisions relating to bonuses awarded to teachers providing advanced placement instruction; revising the calculation of additional full-time equivalent membership based on completion of career-themed courses and issuance of industry certification; providing for teacher bonuses related to industry certification instruction; providing for certain recognitions and performance payments to schools in which students earn digital competency certificates; amending ss. 1012.22 and 1012.56, F.S.; conforming provisions; amending s. 1012.98, F.S.; revising requirements for professional development systems developed by school districts; providing that students participating in an accelerated high school graduation option may continue participation; providing a directive to the Division of Law Revision and Information; amending s. 1001.706, F.S.; requiring the strategic plan of the Board of Governors to include criteria for designating high-demand degree programs of emphasis; creating s. 1001.7065, F.S.; creating the preeminent state research universities program; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of the highest-performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; directing the Board of Governors to convene an advisory board; providing duties and responsibilities of the advisory board, the university, and the

Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; revising definitions relating to adult general education and instruction to attain academic and workforce readiness skills; creating s. 1004.082, F.S.; providing for support for talent retention programs for certain middle school and high school students; amending s. 1004.91, F.S.; revising requirements for basic skills instruction for career education programs; amending s. 1004.93, F.S.; requiring certain adult education students to complete action-steps-to-employment; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program and providing requirements for its implementation; amending s. 1007.263, F.S.; conforming provisions; amending s. 1008.37, F.S.; conforming provisions; amending s. 1009.22, F.S.; revising provisions relating to fees for students in adult education programs; amending s. 1009.25, F.S.; revising provisions relating to fee exemptions; amending s. 1009.26, F.S.; providing for fee waivers for certain baccalaureate degree programs; amending s. 1009.531, F.S.; deleting an eligibility requirement for a Florida Bright Futures Scholarship Program award; amending s. 1011.80, F.S.; revising provisions relating to the basis for funding workforce education programs; providing requirements for performance funding for industry certifications for school district workforce education programs; revising provisions relating to funding for coenrolled students; amending s. 1011.81, F.S.; providing requirements for performance funding for industry certifications for Florida College System institutions; providing for performance funding based on accountability metrics; amending s. 1011.905, F.S.; revising the formula upon which performance funding for state universities is based and awarded; requiring the State Board of Education and the Board of Governors to provide recommendations to the Legislature by a specified date; providing an effective date.

—as amended April 4 was read the third time by title.

On motions by Senator Legg, **CS for CS for SB 1076** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Galvano	Montford
Altman	Garcia	Negron
Bean	Gardiner	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simmons
Dean	Hukill	Simpson
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thrasher

Nays—7

Abruzzo	Clemens	Thompson
Braynon	Joyner	
Bullard	Smith	

CS for SB 1762—A bill to be entitled An act relating to state technology; transferring, renumbering, and amending s. 14.204, F.S.; creating the Department of State Technology; providing for the organizational structure of the department; creating a Technology Advisory Council and providing for membership; amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; requiring the department to develop a long-range plan; providing the powers and duties of the department; amending s. 282.0056, F.S.; conforming provisions to changes made by the act; deleting the requirement that the department’s work plan be presented at a public hearing; expressly exempting certain entities from data center consolidation;

creating s. 282.0057, F.S.; providing a schedule for the initiation of department information technology projects; specifying tasks to be approved and completed; repealing s. 282.201, relating to the state data center system; amending s. 282.203, F.S.; conforming provisions to changes made by the act; providing for future repeal; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services to the department, co-location services to the Department of Legal Services and the Department of Agriculture and Consumer Services, and host the Legislative Appropriations System/Planning and Budgeting Subsystem; providing for governance of the center; authorizing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center; amending s. 282.318, F.S.; conforming provisions to changes made by the act; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.604, 282.702, 282.703, 20.22, 110.205, 215.22, 215.322, 215.96, 216.292, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 445.011, 445.045, 668.50, and 1006.73, F.S.; conforming provisions to changes made by the act; transferring the personnel, functions, and funds of the Agency for Enterprise Information Technology to the Department of State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Department of State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the department; providing that the status of any employee positions transferred to the department is retained; providing an appropriation; providing effective dates.

—was read the third time by title.

Senator Hays moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (745958)—Delete line 466 and insert: *Licensing, the Justice Administrative Commission, the Division of Administrative Hearings, and the*

On motions by Senator Ring, **CS for SB 1762** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 878—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability

system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; providing termination of data access privileges and an administrative penalty for violating the written agreement; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share data with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including collocated schools; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

—as amended April 4 was read the third time by title.

Senator Galvano moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (197570)—Delete line 308 and insert: *pursuant to subsection (4) shall not include personally*

On motions by Senator Galvano, **CS for CS for SB 878** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Galvano
Benacquisto	Dean	Garcia
Bradley	Detert	Gibson

Grimsley	Margolis	Simpson
Hays	Montford	Smith
Hukill	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	Thrasher

Nays—None

SPECIAL ORDER CALENDAR

SENATOR RICHTER PRESIDING

SB 1500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2013, and ending June 30, 2014, to pay salaries, and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Gardiner moved the following amendment which was adopted:

Amendment 1 (995061)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF State Board Of Education 48800000		
In Section 02 On Page 035		
129 Expenses 040000 IOEA		

DELETE the proviso immediately following Specific Appropriation 129:

From the funds in Specific Appropriation 129, \$500,000 from General Revenue shall be provided for a task force to examine and make recommendations for postsecondary educational opportunity for adults with disabilities once the students exit the K-12 system.

AND INSERT:

From the funds in Specific Appropriation 129, \$500,000 from general revenue funds is provided for a K-20 Students with Disabilities Education Pathway Task Force. The Commissioner of Education shall convene at least 9 members to serve on the task force. The task force may include, but is not limited to the following members: a representative from the Florida College System; a representative from the State University System; a representative from Independent Colleges and Universities; a representative from the disability advocacy community; a School District Superintendent; a parent of a student with disabilities who is seeking postsecondary options; a curriculum specialist; an assessment specialist; an ESE teacher; a Senate President designee; and a Speaker of the House of Representatives designee. The Department of Education shall provide staff and administrative support to the task force. All appointments must be made by July 15, 2013.

The purpose of the task force is to make recommendations on a rigorous K-12 academic pathway that will enable students with disabilities to earn a diploma that will matriculate into postsecondary education college credit programs. In addition, the task force shall recommend options for expanding access of students with disabilities to a traditional postsecondary academic experience. The task force shall submit recommendations by December 1, 2013, to the President of the Senate, Speaker of the House of Representatives, and Executive Office of the Governor.

Amendment 2 (995062) was withdrawn.

Senators Galvano and Negron offered the following amendment which was moved by Senator Galvano and adopted:

Amendment 3 (995065)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Universities, Division Of Program: Educational And General Activities 48900100		
In Section 01 On Page 005		
12 Aid To Local Governments 052310 Grants And Aids - Education And General Activities IOEB		

2178 Educational Enhancement Trust Fund	218,854,015	220,554,015
CA 1,700,000 FSI1NR 1,700,000		

DELETE the below portion of the proviso immediately following Specific Appropriation 12:

University of Florida..... 39,479,555

AND INSERT:

University of Florida..... 41,179,555

State Board Of Education 48800000

11A Data Processing Services 210020 Education Technology And Information Services IOEA		
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2178 Educational Enhancement Trust Fund	5,766,227	4,066,227
CA -1,700,000 FSI1NR -1,700,000		

Amendment 4 (995066) was withdrawn.

Senator Galvano moved the following amendments which were adopted:

Amendment 5 (995073)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEPP 48250400		
In Section 01 On Page 004		
9A Special Categories 104052 Grants And Aids - School And Instructional Enhancements IOEB		

2178 Educational Enhancement Trust Fund	400,000	550,000
CA 150,000 FSI1NR 150,000		

At the end of existing proviso following Specific Appropriation 9A, INSERT:

Sandra DeLucca Developmental Center in Miami..... 150,000

From the funds in Specific Appropriation 9A, \$150,000 is provided for the Sandra DeLucca Developmental Center in Miami to fund the Project SEARCH education program for job training for developmentally disabled students transitioning from the school system.

State Board Of Education 48800000

11A Data Processing Services 210020 Education Technology And Information Services IOEA		
--	--	--

2178 Educational Enhancement Trust Fund	5,766,227	5,616,227
CA -150,000 FSI1NR -150,000		

Amendment 6 (995074)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Program: Private Colleges And Universities 48190000		
In Section 02 On Page 000		
60A Special Categories 102118		
Grants And Aids - Academic Program Contracts IOEB		
2178 Educational Enhancement Trust Fund		473,520
CA 473,520 FSI1NR 473,520		

Following Specific Appropriation 60A, INSERT:

Funds in Specific Appropriation 60A shall be allocated as follows:

Barry University - Nursing/Social Work.....	73,520
Barry University - School of Podiatry.....	200,000
Barry University - Juvenile Justice Program.....	200,000

State Board Of Education 48800000

	DELETE	INSERT
In Section 01 On Page 005		
11A Data Processing Services 210020		
Education Technology And Information Services IOEA		
2178 Educational Enhancement Trust Fund	5,766,227	5,292,707
CA -473,520 FSI1NR -473,520		

Amendment 7 (995076)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEPP 48250400		
In Section 02 On Page 024		
102A Special Categories 104026		
Grants And Aids - Strategic Statewide Initiatives IOEB		

Following Specific Appropriation 102A, DELETE:

Funds in Specific Appropriation 102A for Safe Schools Security Assessments shall be provided to the Department of Education to contract with a security consulting firm to conduct independent assessments of safety and security systems and procedures at each public school site in the state. The department shall issue a request for proposals (RFP) to procure assessment services from a security consulting firm with experience in conducting security assessments of educational facilities. At a minimum, the assessments must address the following issues: (1) school emergency and crisis preparedness planning; (2) security, crime and violence prevention policies and procedures; (3) physical security measures; (4) professional development training needs; (5) an examination of support service roles in school safety, security, and emergency planning; (6) school security and school police staffing, operational practices, and related services; and (7) school-community collaboration on school safety. The selected firm must submit assessment findings and recommendations in a written report to the Department of Education and school and district officials. The final report must identify the positive school safety measures in place at the time of the assessment, as well as the areas for continued school safety planning and improvement.

AND INSERT:

Funds in Specific Appropriation 102A for Safe Schools Security Assessments shall be provided to the Department of Education (DOE) to contract with a security consulting firm to provide a risk assessment tool for conducting security assessments for use by school officials at each public school site in the state. Such a tool should be able to help school officials to identify threats, vulnerabilities and appropriate safety controls for the schools that they supervise. The

department shall issue a request for proposals (RFP) to procure the assessment tool from a consulting firm that specializes in development of risk assessment software solutions with experience in conducting security assessments of public facilities. At a minimum, the assessments must address the following issues: (1) school emergency and crisis preparedness planning; (2) security, crime and violence prevention policies and procedures; (3) physical security measures; (4) professional development training needs; (5) an examination of support service roles in school safety, security, and emergency planning; (6) school security and school police staffing, operational practices, and related services; (7) school-community collaboration on school safety; and (8) return on investment analysis (ROI) of the recommended physical security controls. The selected software solution must be able to generate written automated reports on assessment findings for review by the DOE and school and district officials. The final report must identify the positive school safety measures in place at the time of the assessment, as well as the areas for continued school safety planning and improvement. Additionally, the selected firm should be able to provide training to the DOE and school officials in the use of the assessment tool.

Senator Bullard moved the following amendment which failed:

Amendment 8 (995078)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEPP 48250400		
In Section 01 On Page 004		
9A Special Categories 104052		
Grants And Aids - School And Instructional Enhancements IOEB		
2178 Educational Enhancement Trust Fund	400,000	1,900,000
CA 1,500,000 FSI1NR 1,500,000		

At the end of existing proviso language, following Specific Appropriation 9A, INSERT:

From the funds in Specific Appropriation 9A, \$1,500,000 is provided for the Florida Children's Initiative as referenced in Senate Bill 1322.

Program: Education - Fixed Capital Outlay 48150000

	DELETE	INSERT
In Section 01 On Page 001		
0A Fixed Capital Outlay 089000		
Maintenance, Repair, Renovation, And Remodeling IOEL		
2178 Educational Enhancement Trust Fund	55,209,106	53,709,106
CA -1,500,000 FSI1NR -1,500,000		

Senators Benacquisto and Richter offered the following amendment which was moved by Senator Benacquisto and adopted:

Amendment 9 (995079)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay 48150000		
In Section 01 On Page 000		
0C Fixed Capital Outlay 089007		
State University System Projects IOEL		
2178 Educational Enhancement Trust Fund		2,500,000
CA 2,500,000 FSI1NR 2,500,000		

Funds in Specific Appropriation 0C shall be allocated as follows:

FLORIDA GULF COAST UNIVERSITY Renewable Energy Institute.....	2,500,000
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State Board Of Education 48800000

11A In Section 01 On Page 005
Data Processing Services 210020
Education Technology And Information
Services IOEA

375 In Section 03 On Page 072
Special Categories 100618
Grants And Aids - Community Substance
Abuse Services IOEB

2178 Educational Enhancement Trust Fund 5,766,227 3,266,227
CA -2,500,000 FSI1NR -2,500,000

1000 General Revenue Fund 43,452,696 43,702,696
CA 250,000 FSI2NR 250,000

Senator Gibson moved the following amendments which were adopted:

At the end of existing proviso language, following Specific Appropriation 375, INSERT:

River Regions Services - Women's HIV and Substance Abuse..... 250,000

Amendment 10 (995064)—

Amendments 12 (995086) and 13 (995087) were withdrawn.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment which was adopted:

Amendment 33 (995090)—

DELETE INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Mental Health Program
Mental Health Services 60910506

354 In Section 03 On Page 069
Special Categories 100610
Grants And Aids - Community Mental Health
Services IOEB

1000 General Revenue Fund 181,168,358 180,988,358
CA -180,000 FSI2NR -180,000

Immediately following Specific Appropriation 354, DELETE:

The Manor - Mental Health Services..... 430,000

AND INSERT:

The Manor - Mental Health Services..... 250,000

Program: Substance Abuse Program
Substance Abuse Services 60910604

375 In Section 03 On Page 072
Special Categories 100618
Grants And Aids - Community Substance
Abuse Services IOEB

1000 General Revenue Fund 43,452,696 43,632,696
CA 180,000 FSI2NR 180,000

At the end of existing proviso language, following Specific Appropriation 375, INSERT:

Outreach to the Elderly for Medical Compliance..... 180,000

Amendment 11 (995067)—

DELETE INSERT
In Section On Page 000

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Executive Direction And Support Services 68500200

189 In Section 03 On Page 045
Special Categories 100777
Contracted Services IOEA

1000 General Revenue Fund 18,638,650 17,638,650
CA -1,000,000 FSI2NR -1,000,000

CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Mental Health Program
Mental Health Services 60910506

354 In Section 03 On Page 069
Special Categories 100610
Grants And Aids - Community Mental Health
Services IOEB

1000 General Revenue Fund 181,168,358 182,168,358
CA 1,000,000 FSI2NR 1,000,000

At the end of existing proviso language, following Specific Appropriation 354, INSERT:

Ft. Walton Beach Medical Center Crisis Stabilization Unit.....\$1,000,000

Senator Latvala moved the following amendment which was adopted:

Amendment 14 (995060)—

DELETE INSERT
CHILDREN AND FAMILIES, DEPARTMENT OF
Services
Program: Mental Health Program
Mental Health Services 60910506

354 In Section 03 On Page 069
Special Categories 100610
Grants And Aids - Community Mental Health
Services IOEB

1000 General Revenue Fund 181,168,358 180,918,358
CA -250,000 FSI2NR -250,000

Immediately following Specific Appropriation 354, DELETE:

The Manor - Mental Health Services..... 430,000

AND INSERT:

The Manor - Mental Health Services..... 180,000

Program: Substance Abuse Program
Substance Abuse Services 60910604

DELETE INSERT

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations
Public Service Worksquads And Work
Release Transition 70031600

662 In Section 04 On Page 107
Special Categories 100777
Contracted Services IOEA

At the end of existing proviso language, following Specific Appropriation 662, INSERT:

From the funds in Specific Appropriation 662, no privately operated work release center may house more than 200 inmates at any given time and no transportation shall be provided to inmates unless it is provided by the contractor and paid for by the inmate or group of inmates requiring

transportation. In addition, each facility must have at least one certified correctional officer on premises at all times.

Senators Gardiner and Simpson offered the following amendment which was moved by Senator Gardiner and adopted:

Amendment 15 (995058)—

	DELETE	INSERT
STATE, DEPARTMENT OF Program: Historical Resources Historical Resources Preservation And Exhibition 45200700		
In Section 06 On Page 349		
3116 Special Categories 101548		
Grants And Aids - Historic Preservation		
Grants IOEB		
1000 General Revenue Fund	6,872,773	6,772,773
CA -100,000 FSI1NR -100,000		

DELETE the proviso immediately following Specific Appropriation 3116:

Funds from the General Revenue Fund in Specific Appropriation 3116, shall be allocated as follows:

Golden Gate Building Interior Renovations, Martin County....	200,000
Calhoun County Historic Courthouse Renovation and Repairs...	649,000
City of Port St. Joe, Historic Cape San Blas Lighthouse Complex Rescue and Relocation Project.....	325,000
Ximenez-Fatio House Museum Restoration, St. Johns County....	300,000
St. Augustine Historical Documentary Film.....	500,000
Government House Phase II Renovations, City of St. Augustine	1,000,000
Alcazar Hotel/Lightner Museum Restoration, City of St. Augustine.....	750,000
Chinesgut Hill Historic Plantation - The Manor House Restoration.....	250,000
Restoration of Capital Theatre - City of St. Petersburg.....	750,000
Historic Properties - 40 St. George Street - St. Augustine..	750,000
Historic Preservation Small Matching Grants - Statewide.....	1,398,773

AND INSERT:

Funds from the General Revenue Fund in Specific Appropriation 3116, shall be allocated as follows:

Golden Gate Building Interior Renovations, Martin County....	200,000
Calhoun County Historic Courthouse Renovation and Repairs...	649,000
City of Port St. Joe, Historic Cape San Blas Lighthouse Complex Rescue and Relocation Project.....	325,000
Ximenez-Fatio House Museum Restoration, St. Johns County....	300,000
St. Augustine Historical Documentary Film.....	500,000
Government House Phase II Renovations, City of St. Augustine	1,000,000
Alcazar Hotel/Lightner Museum Restoration, City of St. Augustine.....	750,000
Chinesgut Hill Historic Plantation - The Manor House Restoration.....	150,000
Restoration of Capital Theatre - City of St. Petersburg.....	750,000
Historic Properties - 40 St. George Street - St. Augustine..	750,000
Historic Preservation Small Matching Grants - Statewide.....	1,398,773

ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Strategic Business Development Strategic Business Development 40400100		
In Section 06 On Page 275		
2223A Special Categories 100562		
Economic Development Projects IOEA		
1000 General Revenue Fund	5,700,000	5,800,000
CA 100,000 FSI1NR 100,000		

At the end of existing proviso language, following Specific Appropriation 2223A, INSERT:

From the nonrecurring general revenue funds provided in Specific

Appropriation 2223A, \$100,000 is provided to Hernando County as follows: \$50,000 for improvements to Rogers Park located along the Weeki Wachee River, and \$50,000 to implement a county-wide broadband network.

Senators Gardiner and Latvala offered the following amendment which was moved by Senator Gardiner and adopted:

Amendment 16 (995063)—

	DELETE	INSERT
In Section On Page 000		
ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Community Development Community Planning 40300100		
In Section 6 On Page 000		
2194A Special Categories 103056		
Grants And Aids - Regional Planning Councils IOEB		
1000 General Revenue Fund		-2,500,000
CA -2,500,000 FSI1NR -2,500,000		

DELETE the proviso immediately following Specific Appropriation 2194A

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 6 On Page 276	
2226A Special Categories 103056	
Grants And Aids - Regional Planning Councils IOEB	

1000 General Revenue Fund	2,500,000
CA 2,500,000 FSI1NR 2,500,000	

Insert proviso immediately following Specific Appropriation 2226A :

Funds in Specific Appropriation 2226A are provided to the Regional Planning Councils, 75 percent of which must be divided equally among the councils and 25 percent of which must be allocated according to population. The funds must be used to implement the Florida Five-Year Strategic Plan for Economic Development, address problems of greater than local concern, and provide technical services to local governments, economic development organizations, and other stakeholders.

Senators Gardiner and Richter offered the following amendment which was moved by Senator Gardiner and adopted:

Amendment 17 (995070)—

	DELETE	INSERT
STATE, DEPARTMENT OF Program: Cultural Affairs Cultural Affairs 45500300		
In Section 06 On Page 353		
3155A Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Special Categories - Cultural Facilities Program IOEM	140015	
1000 General Revenue Fund	600,000	1,100,000
CA 500,000 FSI1NR 500,000		

DELETE the proviso immediately following Specific Appropriation 3155A:

The nonrecurring general revenue funds in Specific Appropriation 3155A, shall be allocated as follows:

Frank Lloyd Wright Tourism and Education Center, Florida Southern College.....	500,000
Miami Science Museum.....	100,000

AND INSERT:

The nonrecurring general revenue funds in Specific Appropriation 3155A, shall be allocated as follows:

Frank Lloyd Wright Tourism and Education Center, Florida			
Southern College.....	500,000		
Miami Science Museum.....	100,000		
Naples Botanical Gardens.....	500,000		

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Workforce Services
Workforce Development 40200100

In Section 06 On Page 267			
2162	Special Categories 100778		
Grants And Aids - Contracted Services IOEB			
2195	Employment Security Administration	19,794,979	19,294,979
	Trust Fund		
CA	-500,000 FSI3 -500,000		

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 276			
2230	Special Categories 108445		
Grants And Aids - Space Florida IOEB			
1000	General Revenue Fund	7,000,000	6,500,000
CA	-500,000 FSI1NR -500,000		
2041	State Economic Enhancement And	5,000,000	5,500,000
	Development Trust Fund		
CA	500,000 FSI1 500,000		

Senators Gardiner and Grimsley offered the following amendment which was moved by Senator Gardiner and adopted:

Amendment 18 (995071)—

		DELETE	INSERT				
STATE, DEPARTMENT OF							
Program: Historical Resources							
Historical Resources Preservation And							
Exhibition 45200700							
In Section 06 On Page 000							
3122A	Grants And Aids To Local Governments And	140020					
Nonstate Entities - Fixed Capital Outlay							
Grants And Aids - Special Categories -							
Acquisition, Restoration Of Historic							
Properties IOEM							
1000	General Revenue Fund		1,045,724				
CA	1,045,724 FSI1NR 1,045,724						

Immediately following Specific Appropriation 3122A, INSERT:

Funds in Specific Appropriation 3122A shall be allocated as follows:
Stephen Foster Carillon Tower Restoration 347,000
Completion of Historic Roof - Archbold Biological Station.. 348,724
Bok Tower Gardens Tower Restoration Phase V..... 350,000

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 276			
2230	Special Categories 108445		
Grants And Aids - Space Florida IOEB			
1000	General Revenue Fund	7,000,000	5,954,276
CA	-1,045,724 FSI1NR -1,045,724		
2041	State Economic Enhancement And	5,000,000	6,045,724
	Development Trust Fund		
CA	1,045,724 FSI1 1,045,724		
Program: Workforce Services			
Workforce Development 40200100			

In Section 06 On Page 267
2162 Special Categories 100778
Grants And Aids - Contracted Services IOEB

2195	Employment Security Administration	19,794,979	18,749,255
	Trust Fund		
CA	-1,045,724 FSI3 -1,045,724		

Senator Gardiner moved the following amendment which was adopted:

Amendment 19 (995072)—

		DELETE	INSERT				
ECONOMIC OPPORTUNITY, DEPARTMENT OF							
Program: Community Development							
Housing And Community Development 40300200							
In Section 6 On Page 273							
2210A	Special Categories 100931						
G/A- Community Development IOEB							
1000	General Revenue Fund		1,300,000				
CA	1,300,000 FSI1NR 1,300,000						

Immediately following Specific Appropriation 2210A, INSERT:

Funds in Specific Appropriation 2210A are provided for the Metropolitan Ministries Transitional Family Housing Project in Pasco County.

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 6 On Page 276							
2230	Special Categories 108445						
Grants And Aids - Space Florida IOEB							
1000	General Revenue Fund	7,000,000	5,700,000				
CA	-1,300,000 FSI1NR -1,300,000						
2041	State Economic Enhancement And	5,000,000	6,300,000				
	Development Trust Fund						
CA	1,300,000 FSI1 1,300,000						
Program: Workforce Services							
Workforce Development 40200100							
In Section 6 On Page 267							
2162	Special Categories 100778						
Grants And Aids - Contracted Services IOEB							
2195	Employment Security Administration		-1,300,000				
	Trust Fund						
CA	-1,300,000 FSI3 -1,300,000						

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Evers moved the following amendment which failed:

Amendment 20 (995081)—

		DELETE	INSERT				
HIGHWAY SAFETY AND MOTOR VEHICLES,							
DEPARTMENT OF							
Program: Motorist Services							
Motorist Services 76210100							
In Section 06 On Page 000							
2627A	Aid To Local Governments 050235						
Grants And Aids - Projects, Contracts And							
Grants IOEB							
2009	Highway Safety Operating Trust		250,000				
	Fund						
CA	250,000 FSI1NR 250,000						

Following Specific Appropriation 2627A, INSERT:

From the funds in Specific 2627A, \$250,000 of nonrecurring funds from the Highway Safety Operating Trust Fund are for the purpose of promoting motorcycle safety awareness through public information and education campaigns. These funds are provided to the American Bikers Aiming Toward Education of Florida, Inc. The American Bikers Aiming Toward Education of Florida, Inc., is required to provide an independent program audit to the Department of Highway Safety and Motor Vehicles to ensure that these funds were utilized to enhance motorcycle safety education. The expense of the required independent program audit may be funded from a portion of the funds provided.

Amendments 21 (995082), 22 (995083), 23 (995084), and 24 (995085) were withdrawn.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Gardiner and Brandes offered the following amendment which was moved by Senator Gardiner and adopted:

Amendment 31 (995088)—

DELETE INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 275
2223A Special Categories 100562
Economic Development Projects IOEA

In the proviso immediately following Specific Appropriation 2223A, DELETE:

From the general revenue funds provided in Specific Appropriation 2223A, \$400,000 of nonrecurring funds is provided to the Tampa Bay Innovation Center to establish the St. Petersburg Technology Incubator. The purpose of these funds is to leverage federal and private resources in the delivery and support of services to the research community to stimulate the economy and create jobs.

AND INSERT:

From the general revenue funds provided in Specific Appropriation 2223A, \$350,000 of nonrecurring funds is provided to the Tampa Bay Innovation Center to establish the St. Petersburg Technology Incubator. The purpose of these funds is to leverage federal and private resources in the delivery and support of services to the research community to stimulate the economy and create jobs.

From the general revenue funds provided in Specific Appropriation 2223A, \$50,000 of nonrecurring funds is provided to the Urban League of Broward County for economic development activities in coordination with The Florida Consortium of Urban League Affiliates.

Senator Smith moved the following amendment which failed:

Amendment 25 (995059)—

DELETE INSERT

FINANCIAL SERVICES, DEPARTMENT OF
Program: Financial Services Commission
Office Of Insurance Regulation
Compliance And Enforcement - Insurance 43900110

In Section 06 On Page 295

In Section 06, on Page 295, DELETE the following:

The Office of Insurance Regulation shall investigate unfair and deceptive business practices in the secondary life insurance market, including but not limited to: the failure to advise policy owners that a policy has an insurance interest; denied benefits on life insurance policies after the two year contestability period; illegal increases in the insurance rate; and refusing to return premiums to life insurance

policy owners after a policy is rescinded or determined to be invalid. The Office of Insurance Regulation shall issue a report on the findings by September 30, 2013.

AND INSERT:

The Office of Insurance Regulation shall study and hold hearings regarding the unfair and deceptive business practices in the secondary life insurance market in Florida, including but not limited to: the failure to advise policy owners that a policy has an insurable interest; denied benefits on life insurance policies after the two year contestability period; illegal increases in the insurance rate; failure to return premiums to policyholders after a policy is rescinded or determined to be invalid; the use of multiple life insurance trusts to disguise the true owner of the policy; the use of non-recourse premium financing to purchase the policy; the level of due diligence exercised by a secondary purchaser/investor; whether the secondary purchaser/investor required warranties in the sales agreements for protection against policies issued without an insurable interest and without fraud; whether the secondary purchaser/investor has sought reimbursement from the seller of the policies; and knowledge of a secondary purchaser/investor that stranger originated life insurance policies were or may be included in the portfolio of policies purchased. The Office of Insurance Regulation shall issue a report on the findings by December 31, 2013.

Senators Hays and Richter offered the following amendment which was moved by Senator Hays and adopted:

Amendment 26 (995068)—

DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Beach Management 37350100

In Section 05 On Page 213
1626 Grants And Aids To Local Governments And 140126
Nonstate Entities - Fixed Capital Outlay
Beach Projects - Statewide IOEM

At the end of existing proviso language, following Specific Appropriation 1626, INSERT:

From the funds in Specific Appropriation 1626, \$998,000 shall also be provided from any unobligated state share balance for engineering costs associated with the Collier County beach nourishment project.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF 37000000

In Section 38 On Page 372

At the end of existing proviso in Section 38, insert the following language:

From the funds in Specific Appropriation 1626, \$998,000 shall also be provided from any unobligated state share balance for engineering costs associated with the Collier County beach nourishment project.

Senators Latvala, Legg, Brandes, and Simpson offered the following amendment which was moved by Senator Latvala and adopted:

Amendment 27 (995069)—

DELETE INSERT

PUBLIC SERVICE COMMISSION
Program: Utility Regulation And Consumer
Assistance
Utility Regulation 61030100

In Section 06 On Page 340

Insert proviso immediately preceding Specific Appropriation 2967:

From the funds provided in Specific Appropriations 2967 through 2973, the Public Service Commission shall perform a comprehensive review of the continuing prudency, cost effectiveness and need of any proposed

nuclear power plant for which cost recovery under section 366.93, Florida Statutes, has been authorized if the currently anticipated inservice date for the plant has been extended more than six years beyond its original proposed inservice date and if the most recent estimate of the plant's total cost has increased by more than 50 percent of the original cost estimate for the plant. In making this determination, the commission must consider all relevant factors, including but not limited to, the utility's need for that plant, technology and fuel choices, applicable federal and state licensing and permitting factors, and near and long-term cost to its ratepayers. Based on its review, the commission shall determine whether to authorize for recovery under section 366.93, Florida Statutes, any new or future costs for which cost recovery has not already been authorized. Such review shall commence on or before July 1, 2013, and shall be complete by February 1, 2014.

Amendment 28 (995080) was withdrawn.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Hays and Thompson offered the following amendment which was moved by Senator Hays and adopted:

Amendment 32 (995089)—

Table with columns for DELETED and INSERTED text, including agricultural services, environmental protection, and general revenue fund items.

Amendments 29 (995075), 30 (995077), and 34 (995091) were withdrawn.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Evers moved the following amendment which was adopted:

Amendment 35 (995092)—

Table with columns for DELETED and INSERTED text, including highway safety and motor vehicles department items.

Following Specific Appropriation 2627A, INSERT:

From the funds in Specific 2627A, \$250,000 of nonrecurring funds from the Highway Safety Operating Trust Fund are for the purpose of promoting motorcycle safety awareness through public information and education campaigns.

Table showing appropriation details for Highway Safety Operating Trust Fund, including amounts for 2009 and CA.

On motions by Senator Negron, by two-thirds vote SB 1500 as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

Table listing names of senators who voted 'Yeas', including Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Hukill, Joyner, Latvala, Lee, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher.

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

RECESS

The President declared the Senate in recess at 12:43 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—40:

Table listing names of senators present during the afternoon session, including Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, and Detert.

Diaz de la Portilla	Joyner	Simmons
Evers	Latvala	Simpson
Flores	Lee	Smith
Galvano	Legg	Sobel
Garcia	Margolis	Soto
Gardiner	Montford	Stargel
Gibson	Negron	Thompson
Grimsley	Richter	Thrasher
Hays	Ring	
Hukill	Sachs	

MOTIONS

On motion by Senator Negron, the rules were waived and staff of the Committee on Appropriations was instructed to make title amendments and technical and conforming changes in **SB 1500** as necessary.

SPECIAL ORDER CALENDAR

SB 1502—A bill to be entitled An act relating to implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2013-2014 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for charter schools upon certain approval; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year; prohibiting the Department of Children and Families from requiring managing entities to conduct provider network procurement during the next fiscal year; providing requirements governing the continuation of Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing that any funds remaining in the Clerks of the Court Trust Fund remain available to the clerks; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; providing performance and reporting requirements for the Department of Corrections relating to the implementation of proviso language in the appropriations act; providing salary sanctions for failing to meet those requirements; requiring the Department of Management Services to use certain interest earnings to fund the administration of the MyFlorida.com portal; directing the Department of Management Services to use a tenant broker to renegotiate certain leases and provide a report to the Executive Office of the Governor and the Legislature; authorizing funds available in the Audit and Warrant Clearing Trust Fund to be available for certain interest payments to the Federal Government; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain

counties for solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Division of State Lands for certain Board of Trustees Florida Forever Priority List land acquisition projects; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds for land acquisition, design, and construction of multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds for the acquisition and development of a system of interconnected multi-use trails; amending s. 339.08, F.S.; authorizing the Department of Transportation to expend funds to pay certain administrative costs of the multicounty transportation authority established under ch. 343, F.S.; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing the amounts of the state's monthly contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32, F.S.; relating to the source and use of certain trust funds; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; reenacting and amending s. 110.12315, F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; repealing section 53, Laws of Florida, providing for the reversion of provisions relating to the prescription drug program to the 2010 statutes; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

—was read the second time by title. On motions by Senator Negron, by two-thirds vote **SB 1502** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Dean	Lee	Thrasher
Detert	Legg	
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Margolis, Simmons

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the

company may be affected by **SB 1502** which comes before the Senate floor for a vote on April 10, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

SB 1504—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the second time by title. On motions by Senator Negron, by two-thirds vote **SB 1504** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Joyner	Stargel
Clemens	Latvala	Thompson
Dean	Lee	Thrasher
Detert	Legg	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Gibson, Simmons

SB 1506—A bill to be entitled An act relating to trust funds; creating s. 282.221, F.S.; creating the State Technology Working Capital Trust Fund within the Department of State Technology; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or recreation of the trust fund; providing a contingent effective date.

—was read the second time by title. On motions by Senator Hays, by two-thirds vote **SB 1506** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Simmons

SB 1508—A bill to be entitled An act relating to court-appointed counsel; amending s. 27.40, F.S.; eliminating limited registry provisions; amending s. 27.5304, F.S.; revising statutory caps for certain flat fees; providing an effective date.

—was read the second time by title. On motions by Senator Bradley, by two-thirds vote **SB 1508** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 1510—A bill to be entitled An act relating to postconviction capital collateral proceedings; amending s. 27.701, F.S.; providing for the elimination of a capital collateral counsel pilot program in the northern region of the state; amending s. 27.702, F.S.; requiring each capital collateral regional counsel to provide a report to the Justice Administrative Commission; amending ss. 27.710 and 27.711, F.S.; providing for the assumption of certain duties of the Chief Financial Officer by the Justice Administrative Commission; providing an effective date.

—was read the second time by title. On motions by Senator Bradley, by two-thirds vote **SB 1510** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Negron

SB 1512—A bill to be entitled An act relating to clerks of court; transferring the Clerks of the Court Trust Fund from the Justice Administrative Commission to the Department of Revenue; amending s. 11.90, F.S.; providing additional duties of the Legislative Budget Commission relating to clerks of court; amending s. 28.241, F.S.; revising distribution of filing fees; revising references to trust funds; repealing s. 28.2455, F.S., relating to the transfer of trust funds in excess of the amount needed for clerk budgets; amending s. 28.246, F.S.; conforming provisions to changes made by the act; amending s. 28.35, F.S.; revising duties of the corporation; defining terms; providing requirements for

annual submission of a proposed budget and related information; revising provisions concerning functions that may and may not be funded from specified sources; revising distribution of the corporation's audit report; amending s. 28.36, F.S.; specifying that only certain functions may be funded from fees, service charges, costs, and fines retained by the clerks of the court; revising provisions relating to preparation of budget requests by clerks; providing for reporting and certification of revenue deficits; providing procedures for retention of additional revenues by clerks in the event of a deficit; providing for the release of funds from a specified trust fund to relieve such a deficit in certain circumstances; providing for increases in previously authorized budgets in certain circumstances; deleting provisions relating to review of budgets and related information; creating s. 28.365, F.S.; providing that clerks of court and the Florida Clerks of Court Operations Corporation are subject to specified procurement requirements for expenditures made pursuant to specified provisions; amending s. 28.37, F.S.; providing that a portion of all fines, fees, service charges, and costs collected by the clerks of the court that exceeds a specified portion of the clerk's annual budget be remitted to a specified trust fund; providing for remission of certain excess collections to the department for deposit into the General Revenue Fund on specified dates; providing for deposit of such funds in a specified trust fund in certain circumstances; providing for collection of certain funds by the department; amending s. 34.041, F.S.; conforming provisions to changes made by the act; revising distribution of certain fees; amending s. 142.01, F.S.; deleting provisions specifying that certain moneys are considered state funds; amending s. 213.131, F.S.; conforming provisions to changes made by the act; amending s. 215.22, F.S.; exempting certain moneys deposited in the Clerks of the Court Trust Fund from a specified deduction; specifying the authorized budget for the clerks of the circuit court and the corporation for specified periods; requiring the corporation to determine budget amounts for the individual clerks for those periods; providing an effective date.

—was read the second time by title. On motions by Senator Bradley, by two-thirds vote **SB 1512** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 1514—A bill to be entitled An act relating to education funding; amending s. 1002.3305, F.S.; revising a definition; authorizing the state's program of education to receive state and federal funding that may be transferred between state agencies to provide for operations of the college-preparatory boarding academy; authorizing the college-preparatory boarding academy to enter into an agreement with the Department of Children and Families to admit certain students and to develop an alternative admissions process; amending s. 1002.45, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1003.498, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1009.24, F.S.; authorizing a university to increase its athletic fee to defray the costs associated with adding National Collegiate Athletic Association Division II football; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student" as it relates to the Florida Education Finance Program; amending s. 1011.62, F.S.; revising the fiscal years in which certain school districts

may use funds for supplemental academic instruction and research-based reading instruction to provide additional intensive reading instruction; revising the rate of nonvoted current operating discretionary millage that is used to calculate a discretionary millage compression supplement; eliminating the annual virtual education contribution in the Florida Education Finance Program; amending s. 1011.71, F.S.; conforming a cross-reference; authorizing a district school board to levy additional millage for critical capital outlay needs under certain circumstances; deleting a provision that prohibits additional millage and state funds from being included in the calculation of the Florida Education Finance Program; deleting a provision that authorizes the districts to levy millage that was authorized by the voters in the 2010 general election; amending s. 1011.80, F.S.; revising the funding for operation of workforce education programs with regard to students who are coenrolled in a K-12 education program and an adult education program; amending s. 1013.64, F.S.; revising the capital outlay full-time equivalent membership used to calculate the amount that district school boards receive from the Public Education Capital Outlay and Debt Service Trust Fund; specifying the formula to be used for the 2012-2013 fiscal year in calculating the alternate compliance calculation amounts to the class size operating categorical fund, notwithstanding certain other provisions of law; requiring that the Commissioner of Education modify payments to school districts; providing effective dates.

—was read the second time by title.

Senator Abruzzo moved the following amendment which was adopted:

Amendment 1 (460850) (with title amendment)—Between lines 61 and 62 insert:

Section 1. Paragraph (a) of subsection (9) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:

(a) Each lab school shall be allocated its proportional share of operating funds from the Florida Education Finance Program as provided in s. 1011.62 based on the county in which the lab school is located and the General Appropriations Act. The nonvoted ad valorem millage that would otherwise be required for lab schools shall be allocated from state funds. The required local effort funds calculated pursuant to s. 1011.62 shall be allocated from state funds to the schools as a part of the allocation of operating funds pursuant to s. 1011.62. Each eligible lab school ~~in operation as of September 1, 2002~~, shall also receive a proportional share of the sparsity supplement as calculated pursuant to s. 1011.62. In addition, each lab school shall receive its proportional share of all categorical funds, with the exception of s. 1011.68, and new categorical funds enacted after July 1, 1994, for the purpose of elementary or secondary academic program enhancement. The sum of funds available as provided in this paragraph shall be included annually in the Florida Education Finance Program and appropriate categorical programs funded in the General Appropriations Act.

And the title is amended as follows:

Delete line 2 and insert: An act relating to education funding; amending s. 1002.32, F.S.; deleting an obsolete provision; amending s.

Senator Galvano moved the following amendment which was adopted:

Amendment 2 (911308) (with title amendment)—Delete lines 185-229.

And the title is amended as follows:

Delete lines 19-22 and insert: circumstances; amending s.

On motions by Senator Galvano, by two-thirds vote **SB 1514** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

SB 1516—A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; adopting the 2013 version of the code for the purposes of ch. 220, F.S.; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term “adjusted federal income”; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing for retroactive application; providing an effective date.

—was read the second time by title. On motions by Senator Hukill, by two-thirds vote **SB 1516** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Montford

SB 1518—A bill to be entitled An act relating to Department of Children and Families; amending s. 394.9082, F.S.; providing for the carrying forward, expenditure, and return of unexpended funds paid to entities contracting with the department to manage the delivery of behavioral health services; amending s. 409.16713, F.S.; revising recurring core services funding for community-based care lead agencies; providing an effective date.

—was read the second time by title. On motions by Senator Grimsley, by two-thirds vote **SB 1518** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Clemens	Gibson
Abruzzo	Dean	Grimsley
Altman	Detert	Hays
Bean	Diaz de la Portilla	Hukill
Benacquisto	Evers	Latvala
Bradley	Flores	Lee
Brandes	Galvano	Legg
Braynon	Garcia	Margolis
Bullard	Gardiner	Montford

Negron	Simmons	Stargel
Richter	Simpson	Thompson
Ring	Sobel	Thrasher
Sachs	Soto	

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1518** which comes before the Senate floor for a vote on April 10, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

SB 1520—A bill to be entitled An act relating to Medicaid; amending s. 395.602, F.S.; providing that certain rural hospitals remain rural hospitals under specified circumstances; amending s. 409.905, F.S.; requiring the Agency for Health Care Administration to implement a prospective payment system for inpatient hospital services using diagnosis-related groups (DRGs); deleting provisions directing the agency to develop a plan to convert hospital reimbursement for inpatient services to a prospective payment system; requiring hospital reimbursement for outpatient services to be based on allowable costs; providing that adjustments may not be made after a certain date; providing for the reconciliation of errors in source data or calculations; amending s. 409.908, F.S.; revising exceptions to limitations on hospital reimbursement for inpatient services; providing parameters for submission of letters of agreement by local governmental entities to the agency relating to funds for special payments; creating s. 409.909, F.S.; establishing the Statewide Medicaid Residency Program; providing the purposes of the program; providing definitions; providing a formula and limitations for allocating funds to participating hospitals; authorizing the agency to adopt rules; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; amending s. 409.9118, F.S.; amending parameters for the disproportionate share program for specialty hospitals; limiting reimbursement to tuberculosis services provided under contract with the Department of Health; providing an effective date.

—was read the second time by title. On motions by Senator Grimsley, by two-thirds vote **SB 1520** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gardiner	Richter
Abruzzo	Gibson	Ring
Altman	Grimsley	Sachs
Bean	Hays	Simmons
Benacquisto	Hukill	Simpson
Bradley	Joyner	Smith
Brandes	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Stargel
Detert	Margolis	Thompson
Evers	Montford	Thrasher
Galvano	Negron	

Nays—4

Braynon	Bullard	Diaz de la Portilla
Garcia		

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1520** which comes before the Senate floor for a vote on April 10, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

SB 1522—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.0804, F.S.; revising and directing the distribution of the vehicle license tax surcharge into the State Transportation Trust Fund and the Highway Safety Operating Trust Fund; providing an effective date.

—was read the second time by title. On motions by Senator Gardiner, by two-thirds vote **SB 1522** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 1802—A bill to be entitled An act relating to state employee health insurance; amending s. 110.123, F.S.; modifying the terms “full-time state employee” and “part-time state employee” for the purposes of expressly excluding persons paid from other-personal-services funds who work less than a certain number of hours per week from the state group insurance program; revising provisions relating to employer contributions to employee health savings accounts; requiring each agency or entity that participates in the program to provide information about its employees which is necessary to determine eligibility for the program; reenacting s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee’s prescription drug program; repealing s. 53 of chapter 2012-119, Laws of Florida, relating to the reversion of certain state employee’s prescription drug provisions to those in previous existence; amending s. 110.131, F.S.; providing that OPS employees working 30 hours or more per week may be eligible for the state group health insurance program; providing effective dates.

—was read the second time by title. On motions by Senator Ring, by two-thirds vote **SB 1802** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Galvano	Lee	Simpson
Garcia	Legg	Smith
Gardiner	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	Thrasher
Joyner	Sachs	
Latvala	Simmons	

Nays—None

SB 1810—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.363, 121.052, 121.055, and 121.071, F.S.; revising the employer contribution rates for the retiree health insurance subsidy; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of each membership class and subclass of the Florida Retirement System; providing findings of an important state interest; providing an effective date.

—was read the second time by title. On motions by Senator Ring, by two-thirds vote **SB 1810** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for SB 406—A bill to be entitled An act relating to economic development; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office’s evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 212.08, F.S.; revising definitions; clarifying the application of certain amendments; contingently amending s. 212.20, F.S.; requiring the Department of Revenue to distribute a specified amount of money to certain applicants if a spring training franchise uses the applicant’s facility; specifying time periods and limitations on distributions; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demo-

graphic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and requiring the department to publish this description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; contingently creating s. 288.11631, F.S.; providing definitions; establishing a certification process to retain spring training baseball franchises; authorizing and prohibiting certain uses of the awarded funds; requiring a certified applicant to submit an annual report and requiring the Department of Economic Opportunity to publish such information; providing for decertification of a certified applicant; requiring the department to adopt rules; authorizing the Auditor General to conduct audits; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan

Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing an effective date.

—was read the second time by title.

Senator Gardiner moved the following amendments which were adopted:

Amendment 1 (271164) (with title amendment)—Delete lines 405-524.

And the title is amended as follows:

Delete lines 28-33 and insert: amendments; amending s. 213.053, F.S.; authorizing

Amendment 2 (317276) (with title amendment)—Delete lines 1060-1284.

And the title is amended as follows:

Delete lines 118-128 and insert: Incentive Program; amending s. 288.1253, F.S.;

On motions by Senator Gardiner, by two-thirds vote **CS for SB 406** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

MOTIONS

On motion by Senator Negrón, the House was requested to pass the following Senate appropriations bills as passed by the Senate; or agree to include these bills in the appropriations conference: **SB 1500, SB 1502, SB 1504, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, SB 1802, SB 1810, CS for SB 406, CS for CS for SB 1660, CS for SB 1762, CS for CS for SB 1720, CS for CS for SB 1076, and CS for CS for SB 878.**

On motion by Senator Thrasher, by two-thirds vote, the following Senate appropriations bills passed this day were ordered immediately certified to the House: **SB 1500, SB 1502, SB 1504, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, SB 1802, SB 1810, CS for SB 406, CS for CS for SB 1660, CS for CS for SB 1762, CS for CS for SB 1720, CS for CS for SB 1076, and CS for CS for SB 878.**

On motion by Senator Grimsley—

CS for SB 1258—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1258** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for SB 646—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring that the community living support plan be completed and provided to the administrator of a facility upon the mental health resident's admission; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory oversight organization under certain circumstances; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or

administrator designee to discuss issues and concerns in areas affecting rights, health, safety, and welfare of residents and make recommendations for improvement; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; revising the actions in which the agency may deny, revoke, or suspend the license of an assisted living facility and impose an administrative fine; revising the criteria upon which the agency must deny or revoke the license of an assisted living facility; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate some or all of its residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.28, F.S.; requiring that residents of facilities be informed that the identity of the resident and complainant in a complaint made to the State Long-Term Care Ombudsman Program is confidential and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations; requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 646** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 112** was deferred.

On motion by Senator Lee—

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.4131, F.S.; deleting an obsolete reference; requiring that rules for environmental resource permitting provide for conceptual permits and associated general permits for a municipality or county that creates a stormwater management master plan for urban infill and redevelopment areas or community redevelopment areas; specifying requirements for a conceptual permit; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 934** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government's ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term "agritourism activity," changing the term "agritourism professional" to "agritourism operator," and adding a definition of the term "inherent risks of agritourism activity"; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1106** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.63, F.S.; deleting the requirement that required actuarial reports for retirement plans include a disclosure of the present value of the plan's benefits; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 534** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1792** was deferred.

On motion by Senator Diaz de la Portilla—

CS for SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term "foreign judgment" for purposes of the Florida Enforcement of Foreign Judg-

ments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 186** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for SB 464—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.124, F.S.; authorizing the Department of Financial Services to adopt rules that allow an apparent owner of unclaimed property to submit a claim to the department electronically; providing for applicability with respect to specified property reported and remitted to the Chief Financial Officer; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 464** was placed on the calendar of Bills on Third Reading.

On motion by Senator Benacquisto—

CS for SB 454—A bill to be entitled An act relating to Florida College System institution police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System institution police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System institution police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System institution police officers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 454** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

SB 356—A bill to be entitled An act relating to financial guaranty insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; providing an effective date.

—was read the second time by title.

Senator Abruzzo moved the following amendment which was adopted:

Amendment 1 (655700) (with title amendment)—Between lines 53 and 54 insert:

Section 3. Subsection (7) of section 617.01401, Florida Statutes, is amended to read:

617.01401 Definitions.—As used in this chapter, the term:

(7) "Distribution" means the payment of a dividend or any part of the income or profit of a corporation to its members, directors, or officers.

(a) A donation or transfer of corporate assets or income to or from another not-for-profit corporation qualified as tax-exempt under s. 501(c) of the Internal Revenue Code or a governmental organization exempt from federal and state income taxes, if such corporation or governmental

organization is a member of the corporation making such donation or transfer, is not a distribution for purposes of this chapter.

(b) *A dividend or distribution by a not-for-profit insurance company subsidiary to its mutual insurance holding company organized under part III of chapter 628, directly or indirectly through one or more intermediate holding companies authorized under that part, is not a distribution for the purposes of this chapter.*

Section 4. Subsection (5) is added to section 628.371, Florida Statutes, to read:

628.371 Dividends to stockholders.—

(5) *A dividend or distribution by a not-for-profit insurance company subsidiary to its mutual insurance holding company, directly or indirectly through one or more intermediate holding companies, pursuant to part III of this chapter, which meets the requirements of this section and which applies to a stock insurer, is permitted under this section.*

Section 5. Section 628.703, Florida Statutes, is reordered and amended to read:

628.703 Definitions.—For purposes of this part:

(2)(1) “Mutual insurance holding company” means an incorporated entity without permanent capital stock ~~which that~~ is organized under this part and whose members are determined in accordance with this part.

(5)(2) “Subsidiary insurance company” means:

(a) A stock insurance company, *of which* the majority of the voting shares of the capital stock ~~of which~~ are at all times owned by a mutual insurance holding company. ~~As used in For purposes of this part, the term “majority of the voting shares of the capital stock” means the shares of the capital stock of such company which carry the right to cast a majority of the votes entitled to be cast by all of the outstanding shares of the capital stock for the election of directors. The ownership of a majority of the voting shares of the capital stock of a former mutual reorganized insurance company which are required by this part to be at all times owned by a mutual insurance holding company includes indirect ownership through one or more intermediate holding companies. However, indirect ownership through one or more intermediate holding companies may shall not result in a mutual insurance holding company owning less than the equivalent of a majority of the voting shares of the capital stock of the former mutual reorganized insurance company; or~~

(b) *A not-for-profit insurance company or nonprofit health care plan, of which the majority of the voting membership interests are at all times owned by a mutual insurance holding company, which entitles the mutual insurance holding company to elect the board of directors of the not-for-profit insurance company or nonprofit health care plan. This also applies to the indirect ownership of the not-for-profit insurance company or nonprofit health care plan through one or more intermediate holding companies. A not-for-profit insurance company subsidiary resulting from reorganization into a not-for-profit mutual insurance company under this part, or which is subsequently organized as an additional subsidiary insurance company of the holding company, is subject to the Florida Insurance Code and chapter 617 applies to the organization of such company.*

(1)(3) “Intermediate holding company” means:

(a) A holding company ~~that which~~ is a subsidiary of a mutual insurance holding company, and which directly or through a subsidiary intermediate holding company owns a majority of the voting shares of the capital stock of one or more subsidiary insurance companies; or

(b) *A holding company that is a not-for-profit corporation and a subsidiary of a mutual insurance holding company, of which a majority of the voting membership interests entitled to elect the board of directors of such corporation are owned, directly or through a subsidiary intermediate holding company, by the mutual insurance holding company.*

(3) “Nonprofit health care plan” means *a not-for-profit domestic or foreign hospital or medical and surgical service plan or corporation that is licensed in one or more states, issues no capital stock, and is engaged in the business of providing prepaid indemnity or health care benefits.*

(4) “Paid premiums” means all premiums paid for insurance by a member of a mutual insurance holding company to a subsidiary insurance company.

Section 6. Subsection (5) of section 628.707, Florida Statutes, is amended to read:

628.707 Applicability of general corporation statutes.—The applicable statutes of this state relating to the powers and procedures of domestic private corporations formed for profit shall apply to domestic mutual insurance holding companies, except:

(5) In the case of the reorganization of a ~~any~~ mutual insurance company organized as a *not-for-profit nonprofit* corporation under chapter 617, a mutual insurance holding company organized under this part shall be deemed to be a *not-for-profit nonprofit* corporation.

Section 7. Subsection (1) of section 628.715, Florida Statutes, is amended to read:

628.715 Merger and acquisitions.—Subject to applicable requirements of this chapter, a mutual insurance holding company may:

(1)(a) Merge or consolidate with, or acquire the assets of, a mutual insurance holding company licensed pursuant to this ~~part act~~ or any similar entity organization pursuant to laws of any other state;

(b) Either alone or together with one or more intermediate ~~stock~~ holding companies, or other subsidiaries, directly or indirectly acquire the stock of a stock insurance company or a mutual insurance company that reorganizes under this ~~part act~~ or the law of its state of organization;

(c) Together with one or more of its ~~stock insurance company~~ subsidiaries, acquire the assets of a stock insurance company or a mutual insurance company, *or the membership interests of a not-for-profit insurance company or nonprofit health care plan;*

(d) Acquire a stock insurance company through the merger of ~~the such~~ stock insurance subsidiary with a stock insurance company or interim stock insurance company subsidiary of the mutual insurance holding company, *or acquire a not-for-profit insurance company or nonprofit health care plan through the merger of such entities with a mutual insurance company, or with a not-for-profit insurance company subsidiary of the mutual insurance holding company or intermediate holding company;*

(e) Acquire the stock or assets of any other person to the same extent as would be permitted for any not-for-profit corporation under chapter 617 or, if the mutual insurance holding company writes insurance, a mutual insurance company;

(f) Jointly, with a domestic or foreign mutual insurance company ~~that which~~ redomesticates pursuant to s. 628.520, file an application with the office, pursuant to ~~the provisions of~~ this part, to merge the domestic or foreign mutual insurance company policyholder’s membership interests into the mutual insurance holding company. The reorganizing mutual insurance company may merge with the mutual insurance holding company’s stock subsidiary or continue its corporate existence as a domestic stock insurance company subsidiary. The members of the foreign mutual insurance company may approve in a contemporaneous vote both the redomestication plan and the agreement for merger and reorganization; or

(g) Merge or consolidate with, or acquire the assets of, a domestic or foreign reciprocal insurance company, a group self-insurance fund, or any other similar entity.

Section 8. Subsection (1) of section 628.727, Florida Statutes, is amended to read:

628.727 Membership.—

(1) Membership in a mutual insurance holding company shall be determined in accordance with the mutual insurance holding company’s articles of incorporation and bylaws and ~~shall~~ be based upon each member holding a policy of insurance with a subsidiary insurance company or a health maintenance contract with a subsidiary health maintenance organization. Group certificateholders may also be mem-

bers of the mutual insurance holding company if specified in the bylaws. *The articles of incorporation and bylaws may provide for one or more classes of members and may restrict the voting or other rights of a class of policyholders of a nonprofit health care plan from receiving distributions pursuant to this chapter if the assets of the nonprofit health care plan may not be treated as assets available for distribution.*

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to mutual insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; amending s. 617.01401, F.S.; revising the definition of the term “distribution” to exclude a not-for-profit insurance company subsidiary from ch. 617, F.S., relating to not-for-profit corporations; amending s. 628.371, F.S.; providing that certain dividends or distributions by a not-for-profit insurance company to its mutual insurance holding company which meet certain requirements are permitted under part I of ch. 628, F.S., relating to stock and mutual insurers; amending s. 628.703, F.S.; amending definitions relating to mutual insurance holding companies to add provisions for not-for-profit insurance companies and nonprofit health care plans; amending s. 628.707, F.S.; conforming terminology; amending s. 628.715, F.S.; adding not-for-profit insurance companies and nonprofit health plans to provisions relating to mergers and acquisitions; amending s. 628.727, F.S.; authorizing the articles of incorporation and bylaws of a mutual insurance holding company to restrict certain rights of policyholders to receive distributions;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Abruzzo moved the following amendment which was adopted:

Amendment 2 (577342)—Delete line 54 and insert:

Section 9. Except for sections 3 through 8, which shall take effect January 1, 2014, this act shall take effect upon becoming a law.

Pursuant to Rule 4.19, **SB 356** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

CS for SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; authorizing each board and profession within the division to delegate to its chair or other designee the authority to determine that an applicant for licensure under its jurisdiction may be impaired before certifying or declining to certify an application for licensure; authorizing the chair or other designee to refer the applicant to the consultant for an evaluation before the board certifies or declines to certify the applicant’s application to the department; tolling the department’s deadline for approving or denying the application until the evaluation is completed and the result of the evaluation and recommendation by the consultant is communicated to the board by the consultant if the applicant agrees to be evaluated by the consultant; requiring the board to certify or decline to certify the applicant’s application to the department notwithstanding the lack of an evaluation and recommendation by the consultant if the applicant declines to be evaluated by the consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s.

468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 248** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass another, a document relating to the ownership, transfer, or encumbrance of, or claim against, real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent time when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or participating in a community correctional program and when the victim of the offense is a public officer or employee or incurs financial losses under certain circumstances; authorizing the court to issue an injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a civil cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term “public officer or employee”; revising criminal penalties for criminal actions under color of law or through use of simulated legal process; providing legislative intent; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing severability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 112** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.021, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 175, F.S., in order to receive insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and adding new definitions; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality or special fire control district to the firefighters’ pension trust fund; amending s. 175.162, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 175, F.S., under certain time-limited circumstances; amending s. 185.01, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 185, F.S., in order to receive insurance premium tax revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and adding new definitions; deleting a provision allowing a local law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality to the police officers’ retirement trust fund; amending s. 185.16, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan

sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 185, F.S., under certain time-limited circumstances; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Ring moved the following amendment which was adopted:

Amendment 1 (766314)—Delete lines 565-569 and insert: *continue to implement proposed changes. Such reliance must be evidenced by a written collective bargaining proposal, collective bargaining agreement, or formal correspondence between the municipality or district and the department which describes the specific changes to the local law plan, with the initial proposal, agreement, or correspondence from the municipality or district dated prior to February 1, 2013. The*

Senator Clemens moved the following amendment which failed:

Amendment 2 (396902) (with title amendment)—Between lines 574 and 575 insert:

(10) *Notwithstanding any other provision of this chapter, a municipality or special fire control district that implemented a change in the use of premium tax revenues on or after January 1, 2005, and before February 1, 2013, which was agreed to by a majority of plan members and approved by the department may maintain such use of premium tax revenues.*

And the title is amended as follows:

Delete line 25 and insert: *circumstances; authorizing certain municipalities or districts to maintain changes in the use of their premium tax revenues; amending s. 185.01, F.S.; revising the*

Senator Ring moved the following amendment which was adopted:

Amendment 3 (831682)—Delete lines 1056-1059 and insert: *Such reliance must be evidenced by a written collective bargaining proposal, collective bargaining agreement, or formal correspondence between the municipality and the department which describes the specific changes to the local law plan, with the initial proposal, agreement, or correspondence from the municipality dated prior to February 1, 2013. The*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Ring moved the following amendments which were adopted:

Amendment 4 (768272)—Delete lines 930-970 and insert:

(1) If a municipality has a ~~retirement pension~~ plan for police officers, or for police officers and firefighters if *both are* included, which, in the opinion of the division, meets the required ~~minimum~~ benefits and minimum standards set forth in this chapter, the board of trustees of the pension plan ~~must, as approved by a majority of police officers of the municipality, may:~~

(a) place the income from the premium tax in s. 185.08 in such ~~pension~~ plan for the sole and exclusive use of its police officers, or its police officers and firefighters if *both are* included, where it shall become an integral part of that ~~pension~~ plan and ~~shall~~ be used to fund benefits as follows:

(a) *The base premium tax revenues must be used to fund required benefits. To the extent the base premium tax revenues exceed the annual actuarial cost of the plan's required benefits, such revenues may be used to fund the plan's base benefits, or a portion thereof, if the plan's base benefits are greater than the plan's required benefits. Otherwise, such excess revenues must be used as directed in paragraph (b).*

(b) *Of the additional premium tax revenues received which are in excess of the amount received for the 2012 calendar year and any accumulations of additional premium tax revenues which have not been applied to fund benefits in excess of the plan's base benefits:*

1. *If the plan has a supplemental plan in effect as of September 30, 2012, whereby all premium tax revenues received in excess of the amount received for the 2012 calendar year are scheduled to be used to fund defined contribution plan benefits and:*

a. *If the plan has a long-term funded ratio of less than 70 percent, 50 percent of the additional premium tax revenues subject to this paragraph must be used as additional contributions to pay the plan's actuarial deficiency and the remainder must be used to fund special benefits; or*

b. *If the plan has a long-term funded ratio of 70 percent or greater, the additional premium tax revenues subject to this paragraph must be used to fund special benefits.*

2. *If subparagraph 1. is not applicable and the plan has a long-term funded ratio of less than 80 percent:*

a. *Fifty percent of the additional premium tax revenues subject to this paragraph must be used as additional contributions to pay the plan's actuarial deficiency;*

b. *Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund base benefits; and*

c. *The remainder must be placed in a defined contribution plan to fund special benefits.*

3. *If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:*

a. *Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund base benefits; and*

b. *The remainder must be placed in a defined contribution plan to fund special benefits.*

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 175.091(1)(d).

(c) *Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the base benefits ~~pay extra benefits to the police officers included in that pension plan; or~~*

(b) ~~May place the income from the premium tax in s. 185.08 in a separate supplemental plan to pay extra benefits to the police officers, or police officers and firefighters if included, participating in such separate supplemental plan.~~

Amendment 5 (629342)—Delete lines 437-477 and insert:

(1) If a municipality has a pension plan for firefighters, or ~~a pension plan~~ for firefighters and police officers if *both are* included, which in the opinion of the division meets the required ~~minimum~~ benefits and minimum standards set forth in this chapter, the board of trustees of the pension plan ~~must, as approved by a majority of firefighters of the municipality, may:~~

(a) place the income from the premium tax in s. 175.101 in such ~~pension~~ plan for the sole and exclusive use of its firefighters, or for firefighters and police officers if *both are* included, where it shall become an integral part of that ~~pension~~ plan and ~~shall~~ be used to fund benefits as follows:

(a) *The base premium tax revenues must be used to fund required benefits. To the extent the base premium tax revenues exceed the annual actuarial cost of the plan's required benefits, such revenues may be used to fund the plan's base benefits, or a portion thereof, if the plan's base benefits are greater than the plan's required benefits. Otherwise, such excess revenues must be used as directed in paragraph (b).*

(b) *Of the additional premium tax revenues received which are in excess of the amount received for the 2012 calendar year and any accumulations of additional tax revenues which have not been applied to fund benefits in excess of the plan's base benefits:*

1. *If the plan has a supplemental plan in effect as of September 30, 2012, whereby all premium tax revenues received in excess of the amount*

received for the 2012 calendar year are scheduled to be used to fund defined contribution plan benefits and:

a. If the plan has a long-term funded ratio of less than 70 percent, 50 percent of the additional premium tax revenues subject to this paragraph must be used as additional contributions to pay the plan's actuarial deficiency and the remainder must be used to fund special benefits; or

b. If the plan has a long-term funded ratio of 70 percent or greater, the additional premium tax revenues subject to this paragraph must be used to fund special benefits.

2. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of less than 80 percent:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used as additional contributions to pay the plan's actuarial deficiency;

b. Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund base benefits; and

c. The remainder must be placed in a defined contribution plan to fund special benefits.

3. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund base benefits; and

b. The remainder must be placed in a defined contribution plan to fund special benefits.

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 175.091(1)(d).

(c) Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the base benefits to pay extra benefits to the firefighters included in that pension plan; or

~~(b) Place the income from the premium tax in s. 175.101 in a separate supplemental plan to pay extra benefits to firefighters, or to firefighters and police officers if included, participating in such separate supplemental plan.~~

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment:

Amendment 6 (741332)—Delete line 297 and insert:

(21) "Required benefits" means the greater of the minimum

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Diaz de la Portilla and Latvala offered the following substitute amendment which was moved by Senator Diaz de la Portilla and adopted:

Amendment 7 (860988)—Delete lines 297-301 and insert:

(21) "Required benefits" means the base benefits of the plan. For local law plans created after March 12, 1999, the required benefits are the minimum benefits set forth in this chapter.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment:

Amendment 8 (552312)—Delete line 808 and insert:

(20) "Required benefits" means the greater of the minimum

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Diaz de la Portilla and Latvala offered the following substitute amendment which was moved by Senator Diaz de la Portilla and adopted:

Amendment 9 (462050)—Delete lines 808-812 and insert:

(20) "Required benefits" means the base benefits of the plan. For local law plans created after March 12, 1999, the required benefits are the minimum benefits set forth in this chapter.

Pursuant to Rule 4.19, **CS for CS for SB 458** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 810** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

Consideration of **SB 1700** was deferred.

On motion by Senator Montford—

CS for CS for SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following amendment which was adopted:

Amendment 1 (263762) (with title amendment)—Between lines 96 and 97 insert:

Section 2. Subsection (4) of section 828.27, Florida Statutes, is amended to read:

828.27 Local animal control or cruelty ordinances; penalty.—

(4)(a)1. County-employed animal control officers shall, and municipally employed animal control officers may, successfully complete a 40-hour minimum standards training course. Such course shall include, but is not limited to, training for: animal cruelty investigations, search and seizure, animal handling, courtroom demeanor, and civil citations. The course curriculum must be approved by the Florida Animal Control Association. An animal control officer who successfully completes such course shall be issued a certificate indicating that he or she has received a passing grade.

2. Any animal control officer who is authorized prior to January 1, 1990, by a county or municipality to issue citations is not required to complete the minimum standards training course.

3. In order to maintain valid certification, every 2 years each certified county-employed animal control officer shall complete 4 hours of postcertification continuing education training. Such training may include, but is not limited to, training for: animal cruelty investigations,

search and seizure, animal handling, courtroom demeanor, and civil citations.

(b) The governing body of a county or municipality may impose and collect a surcharge of up to \$5 upon each civil penalty imposed for violation of an ordinance relating to animal control or cruelty. The proceeds from such surcharges shall be used to pay the costs of training for animal control officers.

(c) *In addition to the uses set forth in paragraph (b), a county as defined in s. 125.011 may use the proceeds specified in that paragraph and any carryover or fund balance from such proceeds for animal shelter operating expenses. This paragraph shall expire July 1, 2014.*

And the title is amended as follows:

Delete line 12 and insert: maximum fee for copies of such records; amending s. 828.27, F.S.; providing that proceeds, carryover, and fund balances may be used to fund animal shelter operating expenses; providing an

Pursuant to Rule 4.19, **CS for CS for SB 674** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1700—A bill to be entitled An act relating to agricultural lands; repealing s. 604.006, F.S., relating to the mapping and monitoring of agricultural lands by the Department of Economic Opportunity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1700** was placed on the calendar of Bills on Third Reading.

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner's or provider's attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner's or provider's attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an ex parte interview with a claimant's treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct ex parte interviews with the claimant's health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1 (688034) (with title amendment)—Delete lines 119-123 and insert:

(I) *The insurer for the health care practitioner or provider may not contact the health care practitioner or provider to recommend that the*

health care practitioner or provider seek legal counsel relating to a particular matter.

(II) *The insurer may not select an attorney for the practitioner or the provider. However, the insurer may recommend attorneys who do not represent a defendant or prospective defendant in the matter if the practitioner or provider contacts an insurer relating to the practitioner's or provider's potential involvement in the matter.*

(III) *The attorney selected by the practitioner or the*

And the title is amended as follows:

Delete line 11 and insert: practitioner or provider or recommending that a practitioner or provider seek legal counsel on a particular matter; authorizing a medical

Senator Smith moved the following amendment which failed:

Amendment 2 (386448) (with title amendment)—Delete lines 137-171.

And the title is amended as follows:

Delete lines 22-25 and insert: practitioner or provider; amending

The vote was:

Yeas—13

Abruzzo	Gibson	Smith
Braynon	Joyner	Soto
Bullard	Margolis	Thompson
Clemens	Ring	
Diaz de la Portilla	Sachs	

Nays—26

Mr. President	Galvano	Montford
Altman	Garcia	Negron
Bean	Gardiner	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Sobel
Dean	Latvala	Stargel
Evers	Lee	Thrasher
Flores	Legg	

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment:

Amendment 3 (683406) (with title amendment)—Delete lines 222-369 and insert:

5. *Interviews of treating health care providers.—A prospective defendant or his or her legal representative may interview the claimant's treating health care providers consistent with the authorization for release of protected health information. This subparagraph does not require a claimant's treating health care provider to submit to a request for an interview. Notice of the intent to conduct an interview shall be provided to the claimant or the claimant's legal representative, who shall be responsible for arranging a mutually convenient date, time, and location for the interview within 15 days after the request is made. For subsequent interviews, the prospective defendant or his or her representative shall notify the claimant and his or her legal representative at least 72 hours before the subsequent interview. If the claimant's attorney fails to schedule an interview, the prospective defendant or his or her legal representative may attempt to conduct an interview without further notice to the claimant or the claimant's legal representative.*

6.5. *Unsworn statements of treating health care providers.—A prospective defendant or his or her legal representative may also take unsworn statements of the claimant's treating health care providers. The statements must be limited to those areas that are potentially relevant to the claim of personal injury or wrongful death. Subject to the proce-*

dural requirements of subparagraph 1., a prospective defendant may take unsworn statements from a claimant’s treating physicians. Reasonable notice and opportunity to be heard must be given to the claimant or the claimant’s legal representative before taking unsworn statements. The claimant or claimant’s legal representative has the right to attend the taking of such unsworn statements.

Section 4. Subsection (3) of section 766.1065, Florida Statutes, is amended to read:

766.1065 Authorization for release of protected health information.—

(3) The authorization required by this section shall be in the following form and shall be construed in accordance with the “Standards for Privacy of Individually Identifiable Health Information” in 45 C.F.R. parts 160 and 164:

AUTHORIZATION FOR RELEASE OF PROTECTED HEALTH INFORMATION

A. I, (...Name of patient or authorized representative...) [hereinafter “Patient”], authorize that (...Name of health care provider to whom the presuit notice is directed...) and his/her/its insurer(s), self-insurer(s), and attorney(s), and the designated treating health care provider(s) listed below and his/her/its insurer(s), self-insurer(s), and attorney(s) may obtain and disclose (within the parameters set out below) the protected health information described below for the following specific purposes:

- 1. Facilitating the investigation and evaluation of the medical negligence claim described in the accompanying presuit notice;
2. Defending against any litigation arising out of the medical negligence claim made on the basis of the accompanying presuit notice; or-
3. Obtaining legal advice or representation arising out of the medical negligence claim described in the accompanying presuit notice.

B. The health information obtained, used, or disclosed extends to, and includes, the verbal health information as well as the written health information and is described as follows:

- 1. The health information in the custody of the following health care providers who have examined, evaluated, or treated the Patient in connection with injuries complained of after the alleged act of negligence: (List the name and current address of all health care providers). This authorization extends to any additional health care providers that may in the future evaluate, examine, or treat the Patient for the injuries complained of.
2. The health information in the custody of the following health care providers who have examined, evaluated, or treated the Patient during a period commencing 2 years before the incident that is the basis of the accompanying presuit notice.

(List the name and current address of such health care providers, if applicable.)

C. This authorization does not apply to the following list of health care providers possessing health care information about the Patient because the Patient certifies that such health care information is not potentially relevant to the claim of personal injury or wrongful death that is the basis of the accompanying presuit notice.

(List the name of each health care provider to whom this authorization does not apply and the inclusive dates of examination, evaluation, or treatment to be withheld from disclosure. If none, specify “none.”)

D. The persons or class of persons to whom the Patient authorizes such health information to be disclosed or by whom such health information is to be used:

- 1. Any health care provider providing care or treatment for the Patient.

2. Any liability insurer or self-insurer providing liability insurance coverage, self-insurance, or defense to any health care provider to whom presuit notice is given, or to any health care provider listed in subsections B.1.-2. above, regarding the care and treatment of the Patient.

3. Any consulting or testifying expert employed by or on behalf of (name of health care provider to whom presuit notice was given) and his/her/its insurer(s), self-insurer(s), or attorney(s) regarding the matter of the presuit notice accompanying this authorization.

4. Any attorney (including his/her secretarial, clerical, or paralegal staff) employed by or on behalf of (name of health care provider to whom presuit notice was given) or employed by or on behalf of any health care provider(s) listed in subsections B.1.-2. above, regarding the matter of the presuit notice accompanying this authorization or the care and treatment of the Patient.

5. Any trier of the law or facts relating to any suit filed seeking damages arising out of the medical care or treatment of the Patient.

E. This authorization expressly allows the persons or class of persons listed in subsections D.2.-4. above to interview the health care providers listed in subsections B.1.-2. above, without the presence of the Patient or the Patient’s attorney.

F.E. This authorization expires upon resolution of the claim or at the conclusion of any litigation instituted in connection with the matter of the presuit notice accompanying this authorization, whichever occurs first.

G.F. The Patient understands that, without exception, the Patient has the right to revoke this authorization in writing. The Patient further understands that the consequence of any such revocation is that the presuit notice under s. 766.106(2), Florida Statutes, is deemed retroactively void from the date of issuance, and any tolling effect that the presuit notice may have had on any applicable statute-of-limitations period is retroactively rendered void.

H.G. The Patient understands that signing this authorization is not a condition for continued treatment, payment, enrollment, or eligibility for health plan benefits.

I.H. The Patient understands that information used or disclosed under this authorization may be subject to additional disclosure by the recipient and may not be protected by federal HIPAA privacy regulations.

Signature of Patient/Representative:

Date:

Name of Patient/Representative:

Description of Representative’s Authority:

And the title is amended as follows:

Delete lines 27-39 and insert: defendant may conduct an interview with a claimant’s treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct interviews with the claimant’s health care providers;

On motion by Senator Lee, further consideration of SB 1792 as amended with pending Amendment 3 (683406) was deferred.

On motion by Senator Diaz de la Portilla—

CS for SB 444—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086,

F.S.; revising the measurement standard for the wastewater flow; revising the requirements for installation of a functioning reuse system by a utility that had a permit for a domestic wastewater facility on a specified date to discharge through ocean outfall; revising the definition of the term “functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; requiring that the Department of Environmental Protection approve certain apportionment of reuse if a facility contracts with another facility to install a functioning reuse system; requiring a facility that contracts with another facility to provide a copy of the contract to the department; revising provisions authorizing the backup discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; deleting an obsolete provision; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 444** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee, the Senate resumed consideration of—

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner’s or provider’s attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner’s or provider’s attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an ex parte interview with a claimant’s treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct ex parte interviews with the claimant’s health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 3 (683406)** by Senator Flores was adopted.

Senator Lee moved the following amendment which was adopted:

Amendment 4 (188446) (with title amendment)—Between lines 395 and 396 insert:

Section 6. (1) *The amendments made by this act to ss. 456.057, 766.106, and 766.1065, Florida Statutes, apply to causes of action accruing before, on, or after the effective date of this act.*

(2) *The amendments made by this act to s. 766.102, Florida Statutes, apply to causes of action accruing on or after the effective date of this act.*

And the title is amended as follows:

Delete line 41 and insert: reference to changes made by the act; providing for application of the act to certain causes of action; providing an

Pursuant to Rule 4.19, **SB 1792** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Abruzzo, by two-thirds vote **SB 762** was withdrawn from the committees of reference and further consideration.

CONFEREES APPOINTED

The President appointed the following conferees for **SB 1500, SB 1502, SB 1504, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, SB 1802, SB 1810, CS for SB 406, CS for CS for SB 1660, CS for SB 1762, CS for CS for SB 1720, CS for CS for SB 1076, and CS for CS for SB 878**: Appropriations Conference Committee: Senator Negron, Chair; Senator Benacquisto, Vice Chair; Senator Flores, At Large-Chair; Senators Gardiner, Margolis, Richter, Smith, and Thrasher, Members at Large; Appropriations Conference Committee on Criminal and Civil Justice: Senator Bradley, Chair; Senators Clemens, Diaz de la Portilla, Garcia, and Joyner; Appropriations Conference Committee on Education: Senator Galvano, Chair; Senators Bullard, Detert, Legg, Montford, Sachs, and Thrasher; Appropriations Conference Committee on Finance and Tax: Senator Hukill, Chair; Senators Abruzzo, Altman, Brandes, Evers, Ring, and Simmons; Appropriations Conference Committee on General Government: Senator Hays, Chair; Senators Braynon, Dean, Simpson, Soto, and Stargel; Appropriations Conference Committee on Health and Human Services: Senator Grimsley, Chair; Senators Bean, Flores, Gibson, and Sobel; Appropriations Conference Committee on Transportation, Tourism, and Economic Development: Senator Gardiner, Chair; Senators Latvala, Lee, Margolis, and Thompson.

The action of the Senate was certified to the House.

MOTIONS

On motion by Senator Thrasher, the rules were waived and the amendment deadline for Bills on Third Reading to be considered April 11 was set for 10:00 a.m., Thursday, April 11.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 10, 2013 and Thursday, April 11, 2013: **SB 1500, SB 1502, SB 1504, SB 1506, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, SB 1802, SB 1810, CS for SB 406, SB 1792, SB 1770, CS for CS for CS for SB 112, CS for SB 186, CS for SB 248, SB 356, CS for SB 444, CS for SB 454, CS for SB 464, CS for SB 458, CS for CS for SB 534, CS for SB 646, CS for CS for SB 674, CS for CS for SB 810, CS for SB 934, CS for CS for SB 1106, SB 1258, SB 1700.**

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Community Affairs recommends the following pass: **SB 1322**

The Committee on Environmental Preservation and Conservation recommends the following pass: **CS for SB 1104**

The Committee on Health Policy recommends the following pass: **SB 662**

The Committee on Rules recommends the following pass: **SB 1090**

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

The Committee on Banking and Insurance recommends the following pass: SB 1006

The Committee on Community Affairs recommends the following pass: SB 1246

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Regulated Industries recommends the following pass: CS for SB 156 with 1 amendment

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 360; CS for SB 844

The Committee on Health Policy recommends the following pass: SB 1358

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 582

The Committee on Rules recommends the following pass: CS for SB 632

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 418

The bill was referred to the Committee on Commerce and Tourism under the original reference.

The Committee on Regulated Industries recommends the following pass: SB 1174 with 1 amendment

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

The Committee on Health Policy recommends the following pass: SB 818

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 536

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 834; CS for SB 1260; SB 1424; SB 1848; SB 1850

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

The Committee on Community Affairs recommends the following pass: CS for SB 300; SB 1480; SB 1784

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 606; SB 1806

The Committee on Health Policy recommends the following pass: CS for SB 648

The Committee on Rules recommends the following pass: CS for SB 102; CS for SB 142; CS for CS for CS for SB 390; CS for SB 496; SB 604; CS for CS for SB 658; CS for CS for SB 682; CS for SB 778; SB 832; CS for CS for SB 972; SB 1042; SB 1066; CS for SB 1768

The bills were placed on the Calendar.

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1192

The Committee on Health Policy recommends a committee substitute for the following: CS for CS for SB 500

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

The Committee on Judiciary recommends committee substitutes for the following: SB 288; CS for SB 672

The bills with committee substitute attached were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Rules recommends a committee substitute for the following: CS for SB 274

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1472

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1080

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

The Committee on Health Policy recommends a committee substitute for the following: SB 808

The Committee on Judiciary recommends a committee substitute for the following: SB 962

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1442

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 394

The Committee on Health Policy recommends a committee substitute for the following: SB 1636

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1840

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1160

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 1122

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1016

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1302

The Committee on Community Affairs recommends a committee substitute for the following: SB 1808

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 320

The Committee on Judiciary recommends committee substitutes for the following: CS for CS for SB 52; CS for SB 292; CS for CS for SB 726; SB 1398; CS for SB 1644

The Committee on Rules recommends committee substitutes for the following: SB 376; SB 402; CS for SB 544; CS for CS for SB 600; CS for CS for SB 1382; CS for CS for SB 1632

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Community Affairs recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment *For Term Ending*

Executive Director, Department of Economic Opportunity

Appointee: Panuccio, Jesse Pleasure of Governor

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Fish and Wildlife Conservation Commission

Appointees: Bergeron, Ronald M. 08/01/2017
Corbett, Richard A. 01/06/2018
Rivard, Adrien A. III 08/01/2017

Governing Board of the Southwest Florida Water Management District

Appointee: Beswick, Bryan K. 03/01/2016

The Committee on Governmental Oversight and Accountability recommends that the Senate confirm the following appointments made by the Board of Administration:

Office and Appointment *For Term Ending*

Participant Local Government Advisory Council

Appointees: Belden, Douglas R. 01/12/2017
Heffner, Patsy 01/12/2017
Lovoy, Amy 01/12/2017
Price, Gary B., Jr. 01/12/2017

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Garcia—

SCR 1826—A concurrent resolution relating to a joint legislative organization; creating a Joint Legislative Task Force on Turkish and Florida Relations.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

Senate Bills 1828-1858—Previously referenced.

By the Committee on Criminal Justice—

SB 1860—A bill to be entitled An act relating to drug trafficking; amending s. 893.135, F.S.; providing that a person who knowingly sells, purchases, manufactures, delivers, or brings into this state specified quantities of oxycodone or hydrocodone, or who is knowingly in actual or constructive possession of such quantities of such drugs, commits a felony of the first degree; providing criminal penalties; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Judiciary; Communications, Energy, and Public Utilities; and Transportation; and Senators Detert, Montford, Margolis, Richter, Latvala, Abruzzo, Benacquisto, and Soto—

CS for CS for CS for SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

By the Committees on Rules; and Transportation; and Senators Dean, Evers, and Latvala—

CS for CS for SB 274—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.;

creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 288—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

By the Committees on Judiciary; and Commerce and Tourism; and Senators Richter, Flores, Bean, Brandes, and Grimsley—

CS for CS for SB 292—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Evers—

CS for SB 320—A bill to be entitled An act relating to gasoline; amending s. 526.203, F.S.; providing that gasoline sold in this state is encouraged to be, rather than must be, blended gasoline; providing an effective date.

By the Committee on Rules; and Senator Hays—

CS for SB 376—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

CS for SB 394—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number

of tickets; amending s. 817.361, F.S.; providing definitions; prohibiting the fraudulent repurchase of a multiuse ticket; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the resale or repurchase of multiuse tickets; providing an effective date.

By the Committee on Rules; and Senator Joyner—

CS for SB 402—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing an effective date.

By the Committees on Health Policy; Community Affairs; and Regulated Industries; and Senators Clemens and Sobel—

CS for CS for CS for SB 500—A bill to be entitled An act relating to massage practice; amending s. 480.033, F.S.; revising the definition of the term “board-approved massage school”; amending s. 480.043, F.S.; requiring an application to be denied upon specified findings; amending s. 480.046, F.S., adding additional grounds for denial of a license; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing criminal penalties; amending s. 480.052, F.S., authorizing a county or municipality to waive the restriction on operating hours of a massage establishment in certain instances; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

By the Committees on Rules; and Ethics and Elections; and Senator Braynon—

CS for CS for SB 544—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S., and reenacting subsections (4)-(8), relating to lobbying before the Legislature; revising the term “expenditure” to exclude the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, to exempt such use from legislative lobbying requirements; providing exceptions when a member or an employee of the Legislature may accept certain expenditures made by a lobbyist or a principal; providing for the future expiration and the reversion as of a specified date of statutory text; providing an effective date.

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

CS for CS for CS for SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.051, F.S.; revising restrictions relating to electors requiring assistance in casting ballots; conforming a provision to changes made by the act; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.;

revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senator Evers—

CS for CS for SB 672—A bill to be entitled An act relating to juvenile justice; repealing s. 945.75, F.S.; deleting a requirement that the Department of Corrections and counties develop programs under which a judge may order juveniles who have committed delinquent acts to tour correctional facilities; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officer position within the Department of Juvenile Justice; amending s. 121.0515, F.S.; conforming provisions to changes made by the act; creating s. 985.702, F.S.; providing definitions; providing for the imposition of criminal penalties against specified employees who inflict cruel or inhuman treatment upon juvenile offenders; providing enhanced penalties for such treatment that results in great bodily harm, permanent disability, or permanent disfigurement to a juvenile offender; specifying that such conduct constitutes sufficient cause for an employee's dismissal from employment; prohibiting such employee from future employment with the juvenile justice system; providing incident reporting requirements; prohibiting an employee who witnesses such an incident from knowingly or willfully failing to report; prohibiting false reporting, preventing another from reporting, or coercing another to alter testimony or reports; providing penalties; amending s. 985.701, F.S.; defining the term "juvenile offender" for purposes of prohibiting sexual misconduct with juvenile offenders; providing an effective date.

By the Committees on Judiciary; Health Policy; and Community Affairs; and Senator Simmons—

CS for CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an effective date.

By the Committee on Health Policy; and Senator Margolis—

CS for SB 808—A bill to be entitled An act relating to a needle and syringe exchange pilot program; amending s. 381.0038, F.S.; requiring the Department of Health to establish a needle and syringe exchange pilot program in Miami-Dade County; providing for administration of the pilot program by the department or a designee; establishing pilot program criteria; providing that the distribution of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member or participant may be prosecuted; prohibiting the collection of participant identifying information; providing for the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; re-

quiring a report to the Legislature; providing rulemaking authority; providing for severability; providing an effective date.

By the Committee on Judiciary; and Senator Gardiner—

CS for SB 962—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; providing an effective date.

By the Committees on Judiciary; and Health Policy; and Senator Hays—

CS for CS for SB 1016—A bill to be entitled An act relating to dentistry; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing an effective date.

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

CS for SB 1080—A bill to be entitled An act relating to public construction projects; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and

building codes for each new construction and renovation project; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and Senators Simpson and Dean—

CS for CS for SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; requiring fire officials to enforce Florida Building Code provisions for occupancy separation for certain structures with certain occupancies; exempting certain farming and ranching structures from the code; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Health Policy; and Senator Bullard—

CS for CS for SB 1160—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; requiring onsite sewage treatment and disposal systems to comply with rules of the Department of Environmental Protection and provide a certain level of treatment; providing that certain onsite sewage treatment and disposal systems installed after a specified date are not required to connect to a sewer until a specified date; providing for non-applicability; deleting a provision that requires a maintenance entity to obtain a system operating permit; authorizing the department to approve and permit a property owner of an owner-occupied, single-family residence as a maintenance entity for the property owner’s own aerobic treatment unit system under certain circumstances; requiring the maintenance entity service agreement to conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from certain contractor registration requirements; prohibiting a septic tank contractor from being denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities; providing that component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer’s specifications; requiring the maintenance entity to maintain documentation for a specified period of time and to provide the documentation to the department upon request; providing an effective date.

By the Committees on Community Affairs; and Health Policy; and Senator Grimsley—

CS for CS for SB 1192—A bill to be entitled An act relating to the provision of health care with controlled substances; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the appropriate board to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the Board of Pharmacy to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that regulation of the licensure, activity, and operation of pharmacies and pharmacists is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies and pharmacists, except for ordinances regarding local business taxes and land development; amending s. 893.055, F.S.; deleting an obsolete provision; deleting a provision that prohibits funds from prescription drug manufacturers to be used to implement the prescription drug monitoring program; authorizing the prescription drug mon-

itoring program to be funded by state funds; revising the sources of money which are inappropriate for the direct-support organization of the prescription drug monitoring program to receive; creating s. 893.0552, F.S.; providing that regulation of the licensure, activity, and operation of pain-management clinics is preempted to the state under certain circumstances; authorizing a local government or political subdivision of the state to enact certain ordinances regarding local business taxes and land development; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

By the Committee on Banking and Insurance; and Senator Garcia—

CS for SB 1302—A bill to be entitled An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a temporary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

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

CS for CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “election” to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to political committees; removing a limitation on con-

tributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

By the Committee on Judiciary; and Senator Hukill—

CS for SB 1398—A bill to be entitled An act relating to real estate appraisers; amending s. 475.617, F.S.; revising terminology applicable to education requirements for registered trainee appraisers, certified residential appraisers, and certified general appraisers; authorizing qualifying education courses completed by applicants for registration as a trainee or certification as a residential appraiser or general appraiser to be completed through distance learning; revising the education and experience requirements for certified residential appraisers and certified general appraisers according to certain real property appraiser qualification criteria adopted by the Appraiser Qualifications Board of the Appraisal Foundation on a specified date; authorizing the use of a distance learning course; providing requirements for a distance learning course and a final examination; providing an effective date.

By the Committee on Regulated Industries; and Senator Lee—

CS for SB 1442—A bill to be entitled An act relating to alarm systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price and providing exceptions; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of a Low-Voltage Alarm System Project; authorizing a local enforcement agency to inspect; prohibiting municipalities, counties, districts, or other entities of local government from adopting or maintaining an ordinance or rule inconsistent with this section; providing that a label is not required for the subsequent maintenance, inspection, or service of a permitted alarm system; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senators Legg, Latvala, Simpson, and Brandes—

CS for SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; requiring the Public Service Commission to review the circumstances surrounding a proposed nuclear power plant if the anticipated cost and completion date exceed the original cost and completion date by a certain amount or period; specifying factors to be considered and dates by which the review must commence and be completed; providing an effective date.

By the Committees on Rules; Appropriations; and Transportation; and Senator Latvala—

CS for CS for CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 163.01, F.S.; modifying the definition of the term “public agency” to include a public transit provider; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending s. 373.618, F.S.; providing that certain public information systems operated by water management districts must be approved by the Department of Transportation and the Federal Highway Administration if such approval is required by certain laws and regulations; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.;

revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, and certain displays on specific sports facilities; providing for the removal of signs if certain exemptions do not apply because the allocation of federal funds to the department will be adversely impacted; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department’s acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

By the Committee on Health Policy; and Senator Flores—

CS for SB 1636—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term “born alive”; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senator Flores—

CS for CS for SB 1644—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim’s status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain

records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation—

CS for SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement specified provisions to control nutrient load in state waters; authorizing the department to implement specified nutrient standards; providing for deletion of a specified rule from the Florida Administrative Code; providing that specified nutrient criteria rules are subject to specified provisions of the Florida Administrative Code; exempting such nutrient criteria rules from ratification by Legislature under s. 120.541(3), F.S.; directing the department to establish numeric interpretations of the narrative nutrient criterion for certain estuaries and waters, subject to specified provisions and standards; directing the department to submit a specified report to the Governor and Legislature; providing an effective date.

By the Committees on Community Affairs; and Military and Veterans Affairs, Space, and Domestic Security—

CS for SB 1840—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending chapter 2012-205, Laws of Florida; revising the deadline for the holder of certain permits to notify the authorizing agency of automatic extension eligibility; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 1394—A bill to be entitled An act relating to motorsports entertainment complexes; creating s. 212.094, F.S.; providing definitions; providing an exemption from the sales and use tax for building materials used in the construction, reconstruction, expansion, or renovation of certain certified motorsports entertainment complexes through a refund of previously paid taxes; providing procedures for applying for authority to earn a tax refund; providing procedures for certifying a refund for completed projects; providing procedures for applying for a refund; providing audit authority and procedures for recapturing refunds under specified circumstances; providing rulemaking authority; providing for specified reductions in certain local government half-cent sales tax distributions; creating s. 212.0943, F.S.; authorizing a motorsports entertainment complex to apply for a tax refund of sales and use taxes; limiting the expenditure of such funds provided to a certified applicant to specified public purposes; authorizing the Department of Revenue to audit the expenditure of such funds and to pursue recovery of improperly expended funds; creating s. 212.0944, F.S.; providing that a master developer of a certified motorsports entertainment complex is eligible for a sales tax refund of a specified percentage of any increase in sales tax collections within the complex over a specified base year; providing procedures, requirements, and limitations with respect to the acquisition and use of such tax refunds; limiting the availability of such refunds to a specified period; defining the term “master developer”; authorizing the Department of Revenue to audit the expenditure of such funds and to pursue recovery of improperly expended funds; amending s. 212.20, F.S.; providing for a monthly distribution of a specified amount of sales tax revenue to a facility certified by the Department of Economic Opportunity as a motorsports entertainment complex; providing that a certified motorsports entertainment complex applicant may not receive

certain sales tax distributions in excess of the expenditures the applicant has made for specified public purposes; providing an effective date.

—was referred to the Committees on Appropriations; and Rules.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **SB 200, SB 202, SB 204, SB 206, SB 208, SB 210, CS for SB 214, SB 216, SB 218, SB 220, SB 686, SB 688, CS for SB 690, SB 692, SB 694, and SB 994** which he approved on April 10, 2013.

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Gulf Coast State College Appointee: Warriner, David P., Port St. Joe	05/31/2013
Board of Trustees of Northwest Florida State College Appointees: Ansley, Clarence Wayne, Baker Byrne, Patrick E. II, Niceville Drake, Brad, DeFuniak Springs	05/31/2015 05/31/2014 05/31/2014
State Board of Education Appointee: Colon, John A., University Park	12/31/2014

Referred to the Committee on Ethics and Elections.

EXECUTIVE BUSINESS, REFERENCE CHANGES

The following executive appointment referrals, previously published during the 2013 Regular Session, were removed from the Committee on Education:

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Board of Education Appointee: Armas, Ada Gonzalez, Coral Gables	12/31/2016
Board of Governors of the State University System Appointees: Link, Wendy S., Palm Beach Gardens Tripp, Norman D., Ft. Lauderdale	01/06/2020 01/06/2020
Board of Trustees, Florida Atlantic University Appointee: Workman, Thomas, Jr., Boca Raton	01/06/2018
Board of Trustees, Florida A & M University Appointee: Warren, Cleve E., Jacksonville	01/06/2016
Board of Trustees, University of Florida Appointee: Thomas, David M., Windermere	01/06/2018
Board of Trustees, University of South Florida Appointee: Levy, Stanley I., Tampa	01/06/2018
Board of Trustees, University of West Florida Appointee: Lewis, Suzanne, Pensacola	01/06/2018

Referred to the Committee on Ethics and Elections.

The following executive appointment referrals, previously published during the 2013 Regular Session, were removed from the Committee on Environmental Preservation:

Office and Appointment

Governing Board of the Southwest Florida Water Management District

Appointees: Bronson, Thomas Edward, Brooksville 03/01/2016
 Mann, George W. III, Polk City 03/01/2017

Referred to the Committee on Ethics and Elections.

The following executive appointment referral, previously published during the 2013 Regular Session, was removed from the Committee on Governmental Oversight and Accountability:

Office and Appointment

Investment Advisory Council

Appointee: Collins, Peter H., Tampa 12/12/2016

Referred to the Committee on Ethics and Elections.

The following executive appointment referral, previously published during the 2013 Regular Session, was removed from the Committee on Transportation:

Office and Appointment

Tampa-Hillsborough County Expressway Authority

Appointee: Cassidy, Vincent J., Tampa 07/01/2016

Referred to the Committee on Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 4 and April 9 were corrected and approved.

CO-INTRODUCERS

Senators Evers—SB 788; Flores—SB 1322; Grimsley—CS for SB 1724; Margolis—SB 710; Ring—SB 704; Sobel—SB 1358, CS for SB 1660

Senator Abruzzo was recorded as introducer of CS for CS for SB 674.

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:09 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, April 11 or upon call of the President.



Journal of the Senate

Number 12—Regular Session

Thursday, April 11, 2013

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CALL TO ORDER

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

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimmsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

PRAYER

The following prayer was offered by Bishop Designate Lewis Williams, Household of Faith Church, Jacksonville:

Father God, we come before you right now. Before we petition you, we would like to thank you. Because God, you watched over us last night. While we were all sleeping, meditating, and resting, you took care of us, and our families. God, that is very important.

Now God, we come together today for these Senators and all government officials to make decisions. As the President just addressed, God, it is not a Republican or Democratic decision, but a Florida decision on the bills that are passed. We thank you for leading and guiding our minds and hearts, and for helping us to be balanced. It is so important today for the life that we live to be balanced.

Now we pray corporately. God, I pray also that as individuals look at bills, and pass bills, that they will allow you to lead once again. So we pray, God, for understanding. We pray, God, for clarity. We pray, God, that no thoughts are narcissistic, but all thoughts, are being led by you.

So touch us now. We give you praise. We give you glory. God, as we end this prayer, you said in your word, "There is no other name under Heaven, given among men why we must be saved." Strengthen us now, move and bless us, and we'll give you glory. We thank you now. Amen.

PLEDGE

Senate Pages Austin Chapman of St. Augustine; Cameron Siefker and Cole Williams of Tallahassee; and Janise Wilson of Jacksonville 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. David Winchester of Gainesville, sponsored by Senator Bradley, as doctor of the day. Dr. Winchester specializes in Cardiology.

ADOPTION OF RESOLUTIONS

On motion by Senator Flores—

By Senator Flores—

SR 1786—A resolution recognizing the Herbert Wertheim College of Medicine at Florida International University.

WHEREAS, in March 2006, the State University System Board of Governors approved the creation of a new medical school at Florida International University in Miami and, in May 2006, the Legislature approved and Governor Jeb Bush signed into law legislation establishing the new medical school, and

WHEREAS, later that year, after considering many outstanding applicants, Florida International University selected John A. Rock, M.D., as the founding dean of the new medical school, and

WHEREAS, in 2007, Dean Rock recruited a stellar team, which included Executive Associate Dean for Academic Affairs Joe Leigh Simpson, Executive Associate Dean for Clinical Affairs J. Patrick O'Leary, and Executive Associate Dean for Student Affairs Sanford M. Markham, to develop an operational plan, which was accepted by the Liaison Committee on Medical Education (LCME), and

WHEREAS, in February 2008, the medical school won preliminary accreditation, which allowed the school to recruit medical students, and, on May 28, 2008, received a \$10 million donation from Benjamin León, Jr., and his family to establish the Benjamin León Jr. Family Center for Geriatric Research and Education, and

WHEREAS, in 2009, as the new medical school received its first class of students, Herbert A. Wertheim, the founding chairman of the College of Medicine and trustee emeritus of Florida International University, donated \$20 million to the medical school, which is named in his honor, and

WHEREAS, in 2010, the Herbert Wertheim College of Medicine received its second class of students, and

WHEREAS, Green Family Foundation NeighborhoodHELP (Health Education Learning Program), an innovative curriculum that is a model for new medical schools across the nation, has been recognized by the Herbert Wertheim College of Medicine as its signature educational

program because of its unwavering commitment to serving the community and educating future physicians to improve the health and quality of life of all Floridians, and

WHEREAS, in Green Family Foundation NeighborhoodHELP, medical students are expertly trained in the nonbiological causes of disease, ethics, cultural competency, interdisciplinary teamwork, and the social determinants of health which affect disease and health care outcomes of individuals and communities, and

WHEREAS, through Green Family Foundation NeighborhoodHELP, teams of medical, nursing, social work, and law students from Florida International University take responsibility for individuals in medically underserved households in Miami-Dade County to identify and respond to critical health and social needs, and

WHEREAS, in 2011, the LCME assessed the progress of the Herbert Wertheim College of Medicine and granted it provisional accreditation, after which it received its third class of students, and

WHEREAS, in 2012, the Herbert Wertheim College of Medicine received its fourth class of students and underwent its third assessment by the LCME, and

WHEREAS, on February 7, 2013, the Herbert Wertheim College of Medicine was awarded full accreditation by the LCME, and, on April 29, 2013, will graduate its first class of physicians receiving a Doctor of Medicine Degree, and

WHEREAS, it is projected that the Herbert Wertheim College of Medicine will have a cumulative economic impact on this state of about \$4.3 billion in the 10-year period from 2008 to 2018, and

WHEREAS, by 2025, the annual economic impact of the Herbert Wertheim College of Medicine is projected to reach between \$1.2 billion and \$1.5 billion, and is projected to create at least 12,500 jobs and generate about \$70 million in total tax revenue, a return of \$3 for every dollar invested in the program by the State of Florida, and

WHEREAS, this economic return does not fully reflect the improved quality of life of South Floridians as a direct result of the efforts of the Herbert Wertheim College of Medicine to make available quality health care, NOW, THEREFORE,

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

That we recognize the outstanding accomplishments of the Herbert Wertheim College of Medicine at Florida International University and celebrate its full accreditation by the Liaison Committee on Medical Education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to John A. Rock, M.D., Dean of the Herbert Wertheim College of Medicine at Florida International University, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Flores, **SR 1786** was read the second time by title and adopted.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 86** was deferred.

CS for SB 1258—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-

collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for SB 1258** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Margolis
Abruzzo	Galvano	Montford
Altman	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Smithson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Bean, Flores, Simmons, Thompson

CS for SB 646—A bill to be entitled An act relating to assisted living facilities; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring that the community living support plan be completed and provided to the administrator of a facility upon the mental health resident's admission; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory oversight organization under certain circumstances; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee to discuss issues and concerns in areas affecting rights, health, safety, and welfare of residents and make recommendations for improvement; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration

whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; revising the actions in which the agency may deny, revoke, or suspend the license of an assisted living facility and impose an administrative fine; revising the criteria upon which the agency must deny or revoke the license of an assisted living facility; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate some or all of its residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before an inspection if noncompliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.28, F.S.; requiring that residents of facilities be informed that the identity of the resident and complainant in a complaint made to the State Long-Term Care Ombudsman Program is confidential and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations; requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; providing an effective date.

—was read the third time by title.

On motion by Senator Sobel, **CS for SB 646** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Bean, Flores

CS for CS for CS for SB 112—A bill to be entitled An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass another, a document relating to the ownership, transfer, or encumbrance of, or claim against, real or personal property, or any interest in real or personal property; providing criminal penalties; establishing reclassified penalties for persons who commit the specified offenses a second or subsequent time when the person is a convicted offender who commits the specified offenses while incarcerated in a jail or participating in a community correctional program and when the victim of the offense is a public officer or employee or incurs financial losses under certain circumstances; authorizing the court to issue an injunction; authorizing a court to seal specified public or private records under certain circumstances; providing that the subject of the false statements has a civil cause of action against the perpetrator; providing for actual and punitive damages; providing that the prevailing party is entitled to costs and reasonable attorney fees; providing duties of the custodian of the official record; providing applicability; requiring that attorney fees be paid to the government agency that provides legal representation under certain circumstances; amending s. 843.0855, F.S.; revising definitions; defining the term “public officer or employee”; revising criminal penalties for criminal actions under color of law or through use of simulated legal process; providing legislative intent; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; providing severability; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for CS for SB 112** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Bean

CS for SB 934—A bill to be entitled An act relating to stormwater management permits; amending s. 373.4131, F.S.; deleting an obsolete reference; requiring that rules for environmental resource permitting provide for conceptual permits and associated general permits for a municipality or county that creates a stormwater management master plan for urban infill and redevelopment areas or community redevelopment areas; specifying requirements for a conceptual permit; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for SB 934** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Bean

CS for CS for SB 1106—A bill to be entitled An act relating to agritourism; amending s. 570.96, F.S.; providing legislative intent; restricting a local government’s ability to regulate agritourism activity on agricultural land; amending s. 570.961, F.S.; revising the definition of the term “agritourism activity,” changing the term “agritourism professional” to “agritourism operator,” and adding a definition of the term “inherent risks of agritourism activity”; creating s. 570.963, F.S.; limiting the liability of an agritourism operator, his or her employer or employee, or the owner of the underlying land on which the agritourism activity occurs if certain conditions are met; creating s. 570.964, F.S.; requiring that signs and contracts notify participants of certain inherent risks and the assumption of that risk; preventing an agritourism operator, his or her employer, and any employee, and the owner of the underlying land from invoking the privileges of immunity if certain conditions are not met; providing criteria for the notice; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 1106** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Bean

CS for CS for CS for SB 534—A bill to be entitled An act relating to publicly funded defined benefit retirement plans; amending s. 112.63, F.S.; deleting the requirement that required actuarial reports for retirement plans include a disclosure of the present value of the plan’s benefits; amending s. 112.66, F.S.; providing that the state is not liable for shortfalls in local government retirement systems or plans; creating

s. 112.664, F.S.; requiring a defined benefit system or plan to report certain information to the Department of Management Services by a certain date; requiring the plan sponsor to make certain information available on certain websites; providing consequences for failure to timely submit the required information; providing a method for a plan sponsor to request a hearing to contest such consequences; amending s. 112.665, F.S.; requiring the department to provide a fact sheet specifying certain information; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for CS for SB 534** was passed and certified to the House. The vote on passage was:

Yeas—22

Mr. President	Galvano	Negron
Altman	Gardiner	Richter
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Stargel
Brandes	Latvala	Thrasher
Diaz de la Portilla	Lee	
Flores	Legg	

Nays—18

Abruzzo	Evers	Ring
Braynon	Garcia	Sachs
Bullard	Gibson	Smith
Clemens	Joyner	Sobel
Dean	Margolis	Soto
Detert	Montford	Thompson

SB 1792—A bill to be entitled An act relating to medical negligence actions; amending s. 456.057, F.S.; authorizing a health care practitioner or provider who reasonably expects to be deposed, to be called as a witness, or to receive discovery requests to consult with an attorney on certain matters; authorizing the disclosure of patient information in connection with litigation under certain circumstances; prohibiting a medical liability insurer from selecting an attorney for a health care practitioner or provider or recommending that a practitioner or provider seek legal counsel on a particular matter; authorizing a medical liability insurer to recommend an attorney to a health care practitioner or provider under certain circumstances; restricting the health care practitioner’s or provider’s attorney from disclosing information to the medical liability insurer under certain circumstances; authorizing the health care practitioner’s or provider’s attorney to represent the insurer or other insureds of the insurer in unrelated matters; specifying exceptions to the limitations on disclosures by the attorney to the insurer of the practitioner or provider; amending s. 766.102, F.S.; revising qualifications to give expert testimony on the prevailing professional standard of care; deleting provision regarding limitations of section; amending s. 766.106, F.S.; providing that a prospective defendant may conduct an interview with a claimant’s treating health care provider as a tool of informal discovery; amending s. 766.1065, F.S.; revising the form for the authorization of release of protected health information; providing for the release of protected health information to certain treating health care providers, insurers, and attorneys; authorizing a treating health care provider, insurer, or attorney to use protected health information in connection with legal services relating to a medical negligence claim; authorizing certain individuals and entities to conduct interviews with the claimant’s health care providers; amending s. 381.028, F.S.; conforming a cross-reference to changes made by the act; providing for application of the act to certain causes of action; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Lee, **SB 1792** as amended was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Grimsley	Simmons
Brandes	Hukill	Simpson
Dean	Latvala	Sobel
Detert	Lee	Stargel
Evers	Legg	Thrasher

Nays—12

Abruzzo	Diaz de la Portilla	Sachs
Braynon	Gibson	Smith
Bullard	Joyner	Soto
Clemens	Ring	Thompson

Vote after roll call:

Yea—Hays

SPECIAL GUESTS

Senator Bean recognized his wife, Abigail, who was present in the gallery.

The President recognized Governor Rick Scott, who was present in the chamber.

By direction of the President, the rules were waived and the Senate reverted to—

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz April 11, 2013
President, The Florida Senate

Dear President Gaetz:

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>	
Board of Accountancy Appointee: Riggs, Stephen C. III	10/31/2016
Board of Acupuncture Appointee: Vega, Herman E.	10/31/2014
Jacksonville Aviation Authority Appointees: Davlantes, Teresa H. Mackesy, Francis "Frank" J.	09/30/2015 09/30/2015
Greater Orlando Aviation Authority Appointees: Asher, Steven Dean Palmer, James "Jim" R. Sanchez, Domingo	04/16/2016 04/16/2016 04/16/2016
Florida Building Code Administrators and Inspectors Board Appointees: Dudley, Fred R. Lamas, Orlando	10/31/2016 10/31/2013
Board of Chiropractic Medicine Appointee: Fogarty, Kevin G.	10/31/2014
Board of Clinical Laboratory Personnel Appointees: Valdes, Linda Van Siclen, Carleen P.	10/31/2014 10/31/2015
<i>Office and Appointment</i>	
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointee: Gillespy, Susan J.	10/31/2016
Florida Commission on Community Service Appointees: Aloupis, Vance A. Karlinsky, Autumn Mullican, R. Wayne Roden, Gerald T. Wheelock, Sherry	09/14/2014 09/14/2015 09/14/2014 09/14/2014 09/14/2014
Board of Trustees of Brevard Community College Appointees: Charpentier, Stephen G. Haley, Myra K. Harris, Dewey L. Harvin, Moses L., Sr.	05/31/2015 05/31/2014 05/31/2014 05/31/2015
Board of Trustees of Broward College Appointees: Benz, John A. Guerin, Sean C. Stephany, Pamela Tonkin, Elizabeth A.	05/31/2014 05/31/2015 05/31/2015 05/31/2014
Board of Trustees of College of Central Florida Appointees: Brancato, Joyce Ghumman, Priya Pool, Cory Taylor, Donald L.	05/31/2014 05/31/2015 05/31/2014 05/31/2015
Board of Trustees of Daytona State College Appointees: Davis, Robert C. Freckleton, Lloyd J. Holness, Betty Jean Hosseini, Forough B. Lewis, Dwight D.	05/31/2013 05/31/2015 05/31/2015 05/31/2015 05/31/2015
Board of Trustees of Edison State College Appointees: Chapman, Brian G., Jr. Chapman, Tristan G. Perry, Julia Greene Rhone, Braxton C. Starnes-Bilotti, Marjorie Webb, Sankey E. III	05/31/2014 05/31/2016 05/31/2016 05/31/2013 05/31/2015 05/31/2014
Board of Trustees of Florida State College at Jacksonville Appointees: Bowling, Karen Bryan, Thomas A. Holloway, Candace T. McGehee, Thomas R., Jr. Shoemaker-Crump, Randle P.	05/31/2014 05/31/2015 05/31/2014 05/31/2015 05/31/2014
Board of Trustees of Florida Keys Community College Appointees: Scales, Edwin A. III Schmitt, Brian C. Stoky, Robert C.	05/31/2014 05/31/2015 05/31/2014
Board of Trustees of Gulf Coast State College Appointees: Dunn, Leah Ott McKnight, James W. Roberson, Ralph C. Tannehill, Joe K., Jr.	05/31/2015 05/31/2015 05/31/2014 05/31/2014
Board of Trustees of Hillsborough Community College Appointees: Buchman, MarDee H. Burt, James T. II Pittman, Andrew V.	05/31/2015 05/31/2014 05/31/2014
Board of Trustees of Indian River State College Appointees: Caron, Susan Conrado, Jose L. Luna, Christa C. Raulerson, Phoebe H. Schirard, J. Brantley, Jr.	05/31/2015 05/31/2015 05/31/2014 05/31/2014 05/31/2014
Board of Trustees of Lake-Sumter Community College Appointees: Blankenship, R. Scott	05/31/2014

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Bowersox, Richard P.	05/31/2015	Board of Trustees of Valencia College	
Flores, Kelly L.	05/31/2015	Appointees: Hansen, Guillermo "Bill"	05/31/2014
Lee, Emily A.	05/31/2014	Oliver, Lewis M. III	05/31/2014
Rice, Kelly S.	05/31/2014	Perez, Fernando J.	05/31/2014
Board of Trustees of State College of Florida, Manatee-Sarasota		Education Practices Commission	
Appointees: Bailey, Edward	05/31/2013	Appointees: Basso, Cristina	09/30/2015
Beruff, Carlos	05/31/2016	Gold, Christie R.	09/30/2015
Moore, Ann	05/31/2014	Trop-Roberts, Elizabeth	07/31/2016
Moran, Lori A.	05/31/2015	Florida Housing Finance Corporation	
Neal, Charlene Jo	05/31/2015	Appointees: Demetree, Mary L.	11/13/2014
Robinson, Eric W.	05/31/2016	Munilla, Natacha	11/13/2014
Trigueiro, Craig A.	05/31/2014	Smith, Bernard E.	11/13/2014
Board of Trustees of Miami-Dade College		Board of Optometry	
Appointees: Cancio-Johnson, Mariana "Marili"	05/31/2015	Appointee: Underhill, Timothy E.	10/31/2015
Fuentes, Jose K.	05/31/2014	Board of Osteopathic Medicine	
Olivera, Armando J.	05/31/2015	Appointee: Jackson, Valerie A.	10/31/2013
Board of Trustees of Palm Beach State College		Board of Pilot Commissioners	
Appointees: Berger, William	05/31/2015	Appointee: Trueba, Carlos M.	10/31/2016
Dowd, John W. III	05/31/2014	Jacksonville Transportation Authority	
Link, Wendy S.	05/31/2015	Appointees: Burr, Edward E.	05/31/2015
Board of Trustees of Pasco-Hernando Community College		Harper, Donna L.	05/31/2014
Appointees: Johnson, Leonard H.	05/31/2015	McCaleb, Scott L.	05/31/2015
Porton, Morris R.	05/31/2013	Big Cypress Basin Board of the South Florida Water Management District	
Young, Victor	05/31/2014	Appointees: Carlson, Alice J.	03/01/2015
Board of Trustees of Pensacola State College		Farmer, David H.	03/01/2014
Appointees: Hunt, Luke	05/31/2015	Haskins, Ralph H.	03/01/2015
Moore, Harold Edward, Jr.	05/31/2015	The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Trustees of Polk State College		<i>For Term Ending</i>	
Appointees: Dorrell, Daniel F.	05/31/2014	<i>Office and Appointment</i>	
Littleton, Gregory A.	05/31/2015	Capital Collateral Regional Counsel - Middle Region	
Rada-Pilkington, Erlinda "Linda"	05/31/2015	Appointee: Jennings, John "Bill" W.	09/30/2015
Turner, Mark G.	05/31/2013	Capital Collateral Regional Counsel - Southern Region	
Board of Trustees of St. Johns River State College		Appointee: Dupree, Neal A.	09/30/2015
Appointees: Bramlitt, Denise M.	05/31/2014	As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:	
Coleman, Cranford R., Jr.	05/31/2014	(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;	
Duren, Joseph M.	05/31/2014	(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and	
Board of Trustees of St. Petersburg College		(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.	
Appointees: Fine, Robert J., Jr.	05/31/2014	Respectfully submitted,	
Gibbons, Deveron M.	05/31/2014	<i>Jack Latvala, Chairman</i>	
Oliver, Jeffrey Dale	05/31/2015	On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:	
Board of Trustees of Santa Fe College		The vote was:	
Appointees: Hudson, Robert "R.C."	05/31/2015		
Lee, Caridad E.	05/31/2014		
Mallini, George "G.T." T.	05/31/2015		
Oody, Jeffrey L.	05/31/2014		
Prevatt, Lisa M.	05/31/2015		
Woody, Robert Lee	05/31/2014		
Board of Trustees of Seminole State College			
Appointees: Bauer, Jeffrey M.	05/31/2014		
Brandon, Wendy H.	05/31/2014		
Howat, Scott D.	05/31/2015		
Setzer, J. Alex	05/31/2015		
Board of Trustees of South Florida State College			
Appointees: Bryan, Derron J.	05/31/2015		
Cullens, Tamela "Tami" C.	05/31/2014		
Lambert, Kenneth A.	05/31/2014		
Puckorius, Lana C.	05/31/2015		
Rider, Kris Y.	05/31/2014		
Wright, Patrick Joseph "Joe"	05/31/2015		
Board of Trustees of Tallahassee Community College			
Appointees: Callaway, Donna G.	05/31/2015		
Lamb, Eugene, Jr.	05/31/2014		
Messersmith, Frank S.	05/31/2014		
Moore, Karen B.	05/31/2014		

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Sobel

By direction of the President, the rules were waived and the Senate proceeded to—

BILLS ON THIRD READING

CS for SB 186—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 186** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 464—A bill to be entitled An act relating to disposition of unclaimed property; amending s. 717.124, F.S.; authorizing the Department of Financial Services to adopt rules that allow an apparent owner of unclaimed property to submit a claim to the department electronically; providing for applicability with respect to specified property reported and remitted to the Chief Financial Officer; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for SB 464** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Dave Aronberg, Palm Beach County State Attorney, who was present in the chamber.

CS for SB 454—A bill to be entitled An act relating to Florida College System institution police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System institution police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System institution police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System institution police officers; providing an effective date.

—was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 454** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Bullard	Latvala	Soto
Clemens	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Detert

Consideration of **SB 356** was deferred.

CS for SB 248—A bill to be entitled An act relating to treatment programs for impaired licensees and applicants; amending s. 456.076, F.S.; exempting an entity retained by the Department of Health as an impaired practitioner consultant from certain licensure requirements; authorizing impaired practitioner consultants to contract with schools or programs to provide services to impaired students who are enrolled for the purpose of preparing for licensure as a specified health care practitioner or as a veterinarian; limiting the liability of those schools or programs when they refer a student to an impaired practitioner consultant; authorizing each board and profession within the division to delegate to its chair or other designee the authority to determine that an applicant for licensure under its jurisdiction may be impaired before certifying or declining to certify an application for licensure; authorizing the chair or other designee to refer the applicant to the consultant for an evaluation before the board certifies or declines to certify the applicant's application to the department; tolling the department's deadline for approving or denying the application until the evaluation is completed and the result of the evaluation and recommendation by the consultant is communicated to the board by the consultant if the applicant agrees to be evaluated by the consultant; requiring the board to certify or decline to certify the applicant's application to the department notwithstanding the lack of an evaluation and recommendation by the consultant if the applicant declines to be evaluated by the consultant; providing that the impaired practitioner consultant is the official custodian of records relating to the referral of the licensee or applicant to the consultant and any other interaction between them; clarifying the circumstances under which an impaired practitioner consultant may disclose certain information concerning an impaired licensee or applicant; authorizing the Department of Health and others that contract with an impaired practitioner consultant to have administrative control over the consultant to the extent necessary to receive disclosures allowed under federal law; authorizing an impaired licensee to obtain confidential information from the department regarding a pending disciplinary proceeding; amending ss. 458.331 and 459.015, F.S.; conforming cross-references; creating s. 468.315, F.S.; providing that radiological personnel are subject to a treatment program for impaired licensees; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for SB 248** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Simpson

CS for CS for SB 458—A bill to be entitled An act relating to firefighter and police officer pension plans; amending s. 175.021, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 175, F.S., in order to receive insurance premium tax revenues; amending s. 175.032, F.S.; revising definitions to conform to changes made by the act and adding new definitions; amending s. 175.071, F.S.; conforming a cross-reference; amending s. 175.091, F.S.; revising existing payment provisions and providing for an additional

mandatory payment by the municipality or special fire control district to the firefighters' pension trust fund; amending s. 175.162, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 175.351, F.S., relating to municipalities and special fire control districts that have their own pension plans and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 175, F.S., under certain time-limited circumstances; amending s. 185.01, F.S.; revising the legislative declaration to require all plans to meet the requirements of ch. 185, F.S., in order to receive insurance premium tax revenues; amending s. 185.02, F.S.; revising definitions to conform to changes made by the act and adding new definitions; deleting a provision allowing a local law plan to limit the amount of overtime payments which can be used for retirement benefit calculations; amending s. 185.06, F.S.; conforming a cross-reference; amending s. 185.07, F.S.; revising existing payment provisions and providing for an additional mandatory payment by the municipality to the police officers' retirement trust fund; amending s. 185.16, F.S.; deleting a limitation on state contributions funding additional benefits; amending s. 185.35, F.S., relating to municipalities that have their own pension plans for police officers and want to participate in the distribution of a tax fund; revising criteria governing the use of income from the premium tax; requiring plan sponsors to have a defined contribution plan in place by a certain date; authorizing a municipality to implement certain changes to a local law plan which are contrary to ch. 185, F.S., under certain time-limited circumstances; providing a declaration of important state interest; providing an effective date.

—as amended April 10 was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senators Ring and Bradley offered the following amendments which were moved by Senator Ring and adopted by two-thirds vote:

Amendment 1 (408348)—Delete lines 450-453 and insert: *benefits, such excess revenues must be used as directed in paragraph (b).*

Amendment 2 (570676)—Delete lines 477-496 and insert:

b. Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

c. The remainder must be placed in a defined contribution plan to fund special benefits.

3. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

b. The remainder must be placed in a defined contribution plan to fund special benefits.

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 175.091(1)(d).

(c) Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the required benefits to pay extra benefits to the

Amendment 3 (526984)—Delete lines 970-973 and insert: *benefits, such excess revenues must be used as directed in paragraph (b).*

Amendment 4 (949930)—Delete lines 1036-1037 and insert: *of any mandatory contribution paid by the municipality which was previously used to fund*

Amendment 5 (574664)—Delete lines 997-1016 and insert:

b. Twenty-five percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

c. The remainder must be placed in a defined contribution plan to fund special benefits.

3. If subparagraph 1. is not applicable and the plan has a long-term funded ratio of 80 percent or greater:

a. Fifty percent of the additional premium tax revenues subject to this paragraph must be used to fund required benefits; and

b. The remainder must be placed in a defined contribution plan to fund special benefits.

Any additional premium tax revenues used to fund the plan's actuarial deficiency pursuant to this paragraph may not be considered in determining the mandatory payment described in s. 185.07(1)(d).

(c) Additional premium tax revenues not described in paragraph (b) must be used to fund benefits that were not included in the required benefits pay extra benefits to the police

On motion by Senator Ring, CS for CS for SB 458 as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Montford
Altman	Galvano	Negron
Bean	Gardiner	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Stargel
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—5

Abruzzo	Sachs	Thompson
Bullard	Soto	

Vote after roll call:

Yea—Garcia

Vote Preference:

April 15, 2013: Nay to Yea—Abruzzo

April 16, 2013: Nay to Yea—Sachs

CS for CS for SB 810—A bill to be entitled An act relating to wrap-up insurance policies; creating s. 627.4138, F.S.; providing definitions; providing that wrap-up insurance policies may include workers' compensation claim deductibles equal to or greater than a specified amount if specified standards are met; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, CS for CS for SB 810 was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	Thrasher
Negron	Smith	
Richter	Sobel	

Nays—None

SB 1700—A bill to be entitled An act relating to agricultural lands; repealing s. 604.006, F.S., relating to the mapping and monitoring of agricultural lands by the Department of Economic Opportunity; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, SB 1700 was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 674—A bill to be entitled An act relating to animal shelters and animal control agencies; amending s. 823.15, F.S.; declaring legislative priorities relating to the importation and uncontrolled breeding of dogs and cats; requiring that each public or private animal shelter, humane organization, or animal control agency operated by a humane society or by a county, municipality, or other incorporated political subdivision prepare and maintain specified records; specifying the information that must be included in the records; providing a maximum fee for copies of such records; amending s. 828.27, F.S.; providing that proceeds, carryover, and fund balances may be used to fund animal shelter operating expenses; providing an effective date.

—as amended April 10 was read the third time by title.

Senator Braynon moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (543150) (with title amendment)—Delete lines 99-132.

And the title is amended as follows:

Delete lines 12-15 and insert: maximum fee for copies of such records; providing an effective date.

On motion by Senator Montford, CS for CS for SB 674 as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Galvano	Lee	Simpson
Garcia	Legg	Smith
Gardiner	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	Thrasher
Joyner	Sachs	
Latvala	Simmons	

Nays—None

CS for SB 444—A bill to be entitled An act relating to domestic wastewater discharged through ocean outfalls; amending s. 403.086, F.S.; revising the measurement standard for the wastewater flow; revising the requirements for installation of a functioning reuse system by a utility that had a permit for a domestic wastewater facility on a specified date to discharge through ocean outfall; revising the definition of the term “functioning reuse system”; changing the term “facility’s actual flow on an annual basis” to “baseline flow”; revising plan requirements for the elimination of ocean outfalls; providing that certain utilities that shared a common ocean outfall on a specified date are individually responsible for meeting the reuse requirement; requiring that the Department of Environmental Protection approve certain apportionment of reuse if a facility contracts with another facility to install a functioning reuse system; requiring a facility that contracts with another facility to provide a copy of the contract to the department; revising provisions authorizing the backup discharge of domestic wastewater through ocean outfalls; requiring a holder of a department permit authorizing the discharge of domestic wastewater through an ocean outfall to submit certain information; deleting an obsolete provision; requiring the Department of Environmental Protection, the South Florida Water Management District, and affected utilities to consider certain information for the purpose of adjusting reuse requirements; requiring the department to submit a report to the Legislature; providing an effective date.

—was read the third time by title.

On motions by Senator Diaz de la Portilla, **CS for SB 444** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for SB 444** was ordered immediately certified to the House.

SPECIAL ORDER CALENDAR

On motion by Senator Simmons—

CS for SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of

Administration Finance Corporation; creating s. 215.5551, F.S.; creating the Florida Catastrophe Risk Capital Access Facility to increase the access of small domestic insurers to risk-capital markets; providing intent; establishing the facility in the State Board of Administration; providing the purposes of the facility; requiring the facility to be funded entirely by participating insurers after initial apportionment; providing limitations; providing for a board of directors; providing immunity from liability; providing for an annual report; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer’s purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; requiring the Florida Commission on Hurricane Loss Projection Methodology to consider methods for improving the accuracy of wind mitigation discounts; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; revising the criteria for when the office may hold a public hearing regarding a rate filing; amending s. 627.171, F.S.; allowing a consent to an excess rate to apply to subsequent policy renewals; limiting the allowable amount of excess rates to counties where there is no competition; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation’s eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation’s board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General’s review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation’s rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk load factor; providing exceptions; limiting rate increases for specified personal and commercial lines residential policies and allowing an additional rate increase; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; amending s. 627.405, F.S.; authorizing policyholders to assign benefits subject to conditions in the policy; amending s. 627.410, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (583958) (with title amendment)—Delete lines 223-296.

And the title is amended as follows:

Delete lines 6-15.

Senator Simmons moved the following amendment which failed:

Amendment 2 (835376) (with title amendment)—Delete lines 297-333.

And the title is amended as follows:

Delete lines 16-19 and insert: amending s. 626.752, F.S.,

The vote was:

Yeas—16

Altman	Garcia	Richter
Bean	Gardiner	Simmons
Benacquisto	Grimsley	Stargel
Bradley	Hays	Thrasher
Brandes	Lee	
Dean	Legg	

Nays—23

Abruzzo	Galvano	Ring
Braynon	Gibson	Sachs
Bullard	Hukill	Simpson
Clemens	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Margolis	Soto
Evers	Montford	Thompson
Flores	Negron	

Senator Simmons moved the following amendment which was adopted:

Amendment 3 (721264)—Delete lines 337-342 and insert:

(4) The foregoing limitations and restrictions ~~do shall not be construed and shall not~~ apply to the placing of surplus lines business under the provisions of part VIII, *or to the activities of Citizens Property Insurance Corporation when placing new and renewal business with authorized insurers in accordance with s. 627.3518.*

Senator Simmons moved the following amendment:

Amendment 4 (764128) (with title amendment)—Delete lines 680-701 and insert:

Section 6. Paragraph (b) of subsection (2) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

(2) COMMISSION CREATED.—

(b) The commission shall consist of the following ~~12~~ **11** members:

1. The insurance consumer advocate.
2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund.
3. The Executive Director of the Citizens Property Insurance Corporation.
4. The Director of the Division of Emergency Management.

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council.

6. An employee of the office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the office.

7. Five members appointed by the Chief Financial Officer, as follows:

a. An actuary who is employed full time by a property and casualty insurer that was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the commission.

b. An expert in insurance finance who is a full-time member of the faculty of the State University System and who has a background in actuarial science.

c. An expert in statistics who is a full-time member of the faculty of the State University System and who has a background in insurance.

d. An expert in computer system design who is a full-time member of the faculty of the State University System.

e. An expert in meteorology who is a full-time member of the faculty of the State University System and who specializes in hurricanes.

8. *A licensed professional structural engineer who has expertise in wind mitigation techniques and who is appointed by the Governor.*

And the title is amended as follows:

Delete lines 32-34 and insert: adding a member to the Florida Commission on Hurricane Loss Projection Methodology;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 4** which was adopted:

Amendment 4A (226240)—Delete lines 43-45 and insert: *8. A licensed professional structural engineer who is a full-time faculty member in the State University System and who has expertise in wind mitigation techniques. This appointment shall be made by the Governor.*

Amendment 4 as amended was adopted.

Senator Simmons moved the following amendment which was adopted:

Amendment 5 (111266) (with directory and title amendments)—Delete lines 729-733.

And the directory clause is amended as follows:

Delete lines 702-703 and insert:

Section 7. Subsection (1) of section 627.0629, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete lines 37-39 and insert: residential property insurance rate filing; amending s. 627.171,

Senator Simmons moved the following amendment:

Amendment 6 (489386)—Delete line 928 and insert: *been issued on or after July 1, 2014, pursuant to s. 713.135,*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following substitute amendment which was adopted:

Amendment 7 (831848)—Delete lines 927-938 and insert: *5. A new structure for which a notice of commencement has been issued on or after July 1, 2014, pursuant to s. 713.135, which is located seaward of the*

coastal construction control line created pursuant to s. 161.053, is ineligible for coverage through the corporation unless the structure meets the coastal code-plus building code criteria developed and recommended by the Florida Building Commission. Filing a notice of commencement for an addition to an existing structure that was built before July 1, 2014, requires that the addition be built according to the code-plus building criteria but does not require that the existing structure meet the code-plus criteria in order to be eligible for coverage through the corporation. ~~Effective January~~

Senator Simmons moved the following amendments which were adopted:

Amendment 8 (460856)—Delete lines 1499-1502 and insert: 4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of ~~nine~~ ~~eight~~ individuals who are residents of this state and who are, from different geographical areas of the ~~this~~ state, one of whom is appointed by the Chief Financial Officer and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Chief Financial Officer is in addition to the appointments authorized under sub-subparagraph a.

Amendment 9 (467934) (with title amendment)—Delete line 1582 and insert: the premium for comparable coverage from the corporation. For renewal policies, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from an authorized insurer is more than 5 percent higher than the premium for comparable coverage from the corporation. If the

And the title is amended as follows:

Delete line 56 and insert: executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain percentage; deleting provisions allowing a

Amendment 10 (354380) (with title amendment)—Delete lines 1825-1827 and insert: 16. Must make available a policy for mobile homes or manufactured homes with a minimum insured value of at least \$3,000. ~~Must limit~~ Coverage on mobile homes or manufactured homes built before 1994 is limited to actual cash value of the dwelling rather than replacement costs of the dwelling. Such coverage must also include the following attached structures:

- a. Screened enclosures that are aluminum framed or that are not covered by the same or substantially the same materials as those of the primary dwelling;
- b. Carports that are aluminum or that are not covered by the same or substantially the same materials as those of the primary dwelling; and
- c. Patios that have a roof covering constructed of materials that are not the same or substantially the same materials as those of the primary dwelling.

And the title is amended as follows:

Delete line 60 and insert: corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring

Amendment 11 (265722)—Delete lines 1920-1925 and insert:

- e. Cooperate and coordinate activities with the corporation's inspector general.
- ~~e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.~~

Amendment 12 (205222)—Delete lines 2262-2266 and insert: k. Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

l. Providing the executive director and board chairman with independent and objective assessments of programs and activities.

m. Complying with the General Principles and Standards for Offices of Inspector General as published and revised by the Association of Inspectors General.

Senator Simmons moved the following amendment:

Amendment 13 (408884)—Between lines 2422 and 2423 insert: f. The Legislature finds that there is not a reasonable level of competition in Monroe County. As a result, the current rate and the provisions of subparagraph 3. apply to all new business in Monroe County until the office makes a finding that a reasonable level of competition for residential property insurance exists in the county.

THE PRESIDENT PRESIDING

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following substitute amendment which was adopted:

Amendment 14 (295112)—Delete line 2422 and insert: with sub-subparagraph a. However, in territories located in a county where the corporation provides more than 75 percent of personal lines residential policies providing wind coverage, subparagraph 3. applies to all new personal lines residential policies written by the corporation in such territories.

The vote was:

Yeas—28

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Bullard	Hays	Stargel
Dean	Hukill	Thrasher
Detert	Lee	
Evers	Legg	

Nays—10

Abruzzo	Ring	Soto
Braynon	Sachs	Thompson
Clemens	Smith	
Joyner	Sobel	

Vote after roll call:

Nay to Yea—Braynon, Smith

Senator Simmons moved the following amendments which were adopted:

Amendment 15 (415424) (with title amendment)—Delete lines 2450-2485 and insert: 3.6. For policies initially insured by the corporation before January 1, 2014, and which have continuously been insured by the corporation since that date, ~~Beginning on or after January 1, 2010, and notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under sub-~~ paragraph 1., the corporation shall annually implement a rate increase that which, except for sinkhole coverage, does not exceed 10 percent for any single policy issued by the corporation, excluding coverage changes and surcharges.

4.7. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

And the title is amended as follows:

Delete lines 82-85 and insert: catastrophe risk factor; requiring the corporation to

Amendment 16 (651304) (with title amendment)—Delete lines 2514-2744 and insert: 627.3518 *Citizens Property Insurance Corporation clearinghouse.*—*The Legislature recognizes that Citizens Property Insurance Corporation has authority to establish a clearinghouse as a separate organizational unit within the corporation for the purpose of determining the eligibility of new and renewal risks, excluding commercial residential, seeking coverage through the corporation and facilitating the identification and diversion of ineligible applicants and current policyholders from the corporation into the voluntary insurance market. The purpose of this section is to augment that authority by providing a framework for the corporation to implement such program by January 1, 2014.*

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

(a) *“Clearinghouse” means the clearinghouse diversion program created under this section.*

(b) *“Corporation” means Citizens Property Insurance Corporation.*

(c) *“Exclusive agent” means a licensed insurance agent who has agreed, by contract, to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.*

(d) *“Independent agent” means a licensed insurance agent not described in paragraph (c).*

(2) *In order to confirm eligibility with the corporation and to enhance the access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized and eligible insurers, the corporation shall establish a clearinghouse for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market, and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by July 1, 2015.*

(3) *The clearinghouse has the same rights and responsibilities in carrying out its duties as a licensed general lines agent, but is not required to employ or engage a licensed general lines agent or to maintain an insurance agency license in order to solicit and place insurance coverage. In establishing the clearinghouse, the corporation may:*

(a) *Require all new applications and all policies due for renewal to be submitted to the clearinghouse in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.*

(b) *Employ or otherwise contract with individuals or other entities to provide administrative or professional services in order to carry out the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.*

(c) *Enter into a contract with an authorized or eligible insurer participating in the clearinghouse and accept an appointment by such insurer.*

(d) *Provide funds to operate the clearinghouse. Insurers and agents participating in the clearinghouse are not required to pay a fee to offset or partially offset the cost of the clearinghouse, or use the clearinghouse for the renewal of policies initially written through the clearinghouse.*

(e) *Develop an enhanced application for obtaining information that will assist private insurers in determining whether to make an offer of coverage through the clearinghouse.*

(f) *Before approving new applications for coverage by the corporation, require that every application be subject to a period of 2 business days during which an insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for at least 30 days but not more than 60 days.*

(4) *An authorized or eligible insurer may participate in the clearinghouse; however, participation is not mandatory. An insurer that makes an*

offer of coverage to a new applicant or renews a policy for a policyholder through the clearinghouse:

(a) *Is not required to individually appoint an agent whose customer is underwritten and bound through the clearinghouse. Notwithstanding s. 626.112, an insurer is not required to appoint an agent on a policy underwritten through the clearinghouse if that policy remains with the insurer. An insurer may appoint an agent whose customer is initially underwritten and bound through the clearinghouse. If an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph and thereafter accepts a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.*

(b) *Must enter into a limited agency agreement with each agent who is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the clearinghouse.*

(c) *Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the clearinghouse if that agent has been appointed by the insurer pursuant to s. 626.112.*

(d) *Must comply with s. 627.4133(2).*

(e) *Must allow authorized or eligible insurers participating in the clearinghouse to participate through their single, designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations apply.*

(f) *Must pay the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.*

(5)(a) *Notwithstanding s. 627.3517, an applicant for new coverage is not eligible for coverage from the corporation if the applicant is offered coverage from an authorized insurer through the clearinghouse at a premium that is at or below the eligibility threshold established under s. 627.351(6)(c)5.a.*

(b) *Notwithstanding any other provisions of law, if a renewing policyholder of the corporation is offered coverage from an authorized insurer for a personal lines or commercial lines risk at a premium that is no more than 15 percent above the corporation’s renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.*

(c) *Notwithstanding s. 626.916(1), if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an authorized insurer, the applicant may choose to accept an offer of coverage from an eligible insurer or its broker under ss. 626.913-626.937. Such offer of coverage from an eligible insurer does not make the risk ineligible for coverage with the corporation.*

(d) *An applicant for new or renewal coverage from the corporation may choose to accept any offer of coverage received through the clearinghouse from an authorized insurer which is greater than 15 percent of the corporation’s renewal premium.*

(e) *Section 627.351(6)(c)5.a.(I) and b.(I) does not apply to an offer of coverage from an authorized insurer obtained through the clearinghouse.*

(6) *An independent agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:*

(a) *Is granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.*

(b) *Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.*

(c) May accept an appointment from an insurer participating in the clearinghouse.

(d) May enter into a standard or limited agency agreement with the insurer, at the insurer's option.

An applicant ineligible for coverage under subsection (5) remains ineligible if the applicant's independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the clearinghouse.

(7) An exclusive agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.

(b) Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and may do so only after the exclusive agent's insurer has approved the terms of the agreement. The exclusive agent's insurer must approve a limited service agreement for the clearinghouse if the insurer has approved a service agreement with the agent for other purposes.

An applicant is ineligible for coverage under subsection (5) if the applicant's exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(8) Submission of an application to the clearinghouse for coverage by the corporation does not constitute the binding of coverage, and the failure of the clearinghouse to obtain an offer of coverage by an insurer is not considered acceptance of coverage of the risk by the corporation.

(9) The clearinghouse may not include commercial nonresidential policies.

Section 14. *Temporary keepout program.*—Citizens Property Insurance Corporation shall implement a temporary keepout program beginning July 1, 2013, and ending on the date the clearinghouse program established under s. 627.3518, Florida Statutes, is operational.

(1) Subject to procedures adopted by the corporation, the program shall provide an opportunity for new applicants for personal residential multiperil coverage with the corporation to be offered coverage with authorized insurers through the market assistance plan established under s. 627.3515, Florida Statutes.

(2) The program is subject to all of the following:

(a) The corporation may not accept a new personal residential multiperil application for coverage within 72 hours after submission of the risk to the market assistance plan under subsection (1).

(b) Section 627.3517, Florida Statutes, relating to consumer choice of agent does not apply to applications for coverage accepted by authorized insurers under the program.

(c) Insurers issuing policies under this section are subject to s. 627.3518(3), Florida Statutes, relating to agent appointment.

(d) Notwithstanding s. 626.916(1), Florida Statutes, if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an eligible insurer, the applicant may accept an offer from a designated broker of an insurer eligible under ss. 626.913-626.937, Florida Statutes.

(e) An exclusive agent must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

An applicant is ineligible for coverage if the applicant's agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(3) This section expires on January 1, 2014, or when the clearinghouse program established under s. 627.3518, Florida Statutes, becomes operational, whichever occurs first.

And the title is amended as follows:

Delete lines 95-96 and insert: establishing a temporary keepout

Senator Simmons moved the following amendment:

Amendment 17 (837382) (with title amendment)—Between lines 2744 and 2745 insert:

Section 15. Section 627.352, Florida Statutes, is created to read:

627.352 *Catastrophe Risk Capital Access Facility.*—

(1) **LEGISLATIVE FINDINGS AND INTENT.**—The Legislature finds and declares that:

(a) A growing and competitive private sector market for residential property insurance is in the public interest.

(b) The global market for catastrophe risk has expanded dramatically, resulting in the availability of billions of dollars in additional risk capital for insurers and new and innovative alternative risk-transfer mechanisms.

(c) Having access to additional risk capital and risk-transfer mechanisms provides an opportunity for property insurers in this state to expand their capacity to write additional business and diversify their catastrophe risk, which will serve the public interest of fostering private sector market growth.

(d) Despite an expansion in the amount of available global risk capital, state property insurers in general, and smaller state property insurers in particular, face challenges accessing global markets if the relatively small amount of risk finance required by any one company is not economically viable in the larger global market.

(e) It is the intent of the Legislature to establish a self-regulating mechanism to facilitate the access of property insurers generally, and smaller property insurers in particular, to global risk capital markets and risk-transfer mechanisms for property risks in this state.

(2) **FACILITY CREATED.**—A nonprofit association, to be known as the Catastrophe Risk Capital Access Facility, is hereby created.

(a) The facility must operate pursuant to a plan of operation adopted by the governing board, except that the initial plan of operation shall be recommended by the initial governing board and adopted by the office after consultation with potential participating insurers and other interested parties.

(b) The facility is not intended to be, and may not function as, an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission.

(3) **MEMBERSHIP.**—An insurer holding a certificate of authority to transact property insurance in this state is eligible to become a member of the facility. To become a member, an insurer must file a declaration of intent with the office by September 30, 2013.

(4) **INITIAL GOVERNING BOARD.**—

(a) Each insurer that timely files a declaration under subsection (3) is a member of the initial governing board of the facility and has a vote proportional to its share of direct premium for property insurance written in this state as of December 31, 2012. At a minimum, three insurers must file a declaration of intent to constitute an initial governing board and activate the facility.

(b) The initial governing board must hold its first meeting at a time and place specified by the office. At the first meeting, the initial governing board must elect one of its members to serve as chair.

(c) The initial governing board must submit a recommended plan of operation to the office by December 1, 2013. The initial governing board may retain staff or professionals to assist in the preparation of the proposed plan of operation.

(d) The functions of the initial governing board terminate upon the election of a governing board as provided in the plan of operation.

(5) **GOVERNING BOARD.**—Beginning on the effective date of the plan of operation, the facility shall operate under a seven-member governing board composed of representatives of member insurers, appointed as specified in the plan of operation.

(6) **PLAN OF OPERATION.**—The plan of operation:

(a) Must specify the following functions of the facility:

1. Aggregating the demand of members for risk finance for state property risks from global capital markets.

2. Designing and executing risk-transfer tools such as insurance-linked securities and other appropriate instruments for state property risks for members; using special purpose vehicles or onshore or offshore protected cells, as appropriate, to increase members' access to risk capital for state property risks; and making use of any other financial instruments or reinsurance or pooling arrangements that may develop in the market.

3. Identifying and coordinating appropriate risk-transfer products and opportunities for state property risks, initially targeting layers of coverage below, alongside, and above the coverage provided by the Florida Hurricane Catastrophe Fund.

4. Establishing and maintaining regular and ongoing contact with global risk capital market participants, institutions, and investors in order to identify opportunities that satisfy and coordinate with insurer demand for additional risk capital for state property risks.

(b) Must provide that in conducting its affairs, the facility may not:

1. Take a position in, or provide financial support for, any risk-transfer transaction.

2. Be a guarantor of premium or make any other financial guarantees to a member.

3. Enter into any contract on the part of the state or create any state contractual obligations.

4. Impose or levy any taxes, assessments, or similar charges.

(c) Must provide for funding the expenses of the facility, including an initial charge that applies to all members and subsequent charges to members on a pro rata basis.

(d) Must provide additional annual enrollment periods for eligible insurers to become members of the facility.

(e) Must provide for the election and terms of the governing board.

(f) May provide for the appointment or retention of staff and professionals as the governing board deems appropriate.

(g) Must require the facility to submit a biennial report and annual independent audits to the members of the Financial Services Commission and the presiding officers of the Legislature by December 31 of each even-numbered year beginning in 2014.

(7) **IMMUNITY FROM LIABILITY.**—No liability on the part of, and no cause of action of any nature, may arise against the facility or its agents or employees, the governing board, or the department or office or their representatives for any action taken by them in the performance of their powers and duties under this section.

And the title is amended as follows:

Delete line 101 and insert: program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 17** which was adopted:

Amendment 17A (199460) (with title amendment)—Delete line 66 and insert:

(d) The initial governing board must provide the presiding officers and minority party leaders of the Legislature with recommendations and draft legislation addressing the facility's need, if any, for exemptions from public records and open meetings laws by December 31, 2013.

(e) The functions of the initial governing board terminate

And the title is amended as follows:

Delete line 139 and insert: to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain

Amendment 17 as amended was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 18 (140302)—Delete lines 1578-1579 and insert: basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment which failed:

Amendment 19 (639430) (with directory and title amendments)—Between lines 2189 and 2190 insert:

(ee)1. The corporation may not decline a request for coverage of residential sinkhole loss based upon: conditions existing at or on the property which do not constitute sinkhole-related activity; or the proximity of the property to the location of another property on which conditions exist which do not constitute sinkhole-related activity.

a. For the purposes of this subparagraph, the term "sinkhole-related activity" means settlement or systematic weakening of the earth if the settlement or systematic weakening results from contemporaneous movement or raveling of soils, sediments, or rock materials into subterranean voids created by the effect of water on a limestone or similar rock formation.

b. On or before December 31 of each calendar year, the corporation shall submit an annual report to the Office of Insurance Regulation and the Insurance Consumer Advocate disclosing:

(I) The total number of requests received for residential sinkhole loss coverage;

(II) The total number of policies issued for residential sinkhole loss coverage;

(III) The total number of requests declined for residential sinkhole loss coverage; and

(IV) The reasons for each decline of residential sinkhole loss coverage.

2. A policy for residential property insurance issued by the corporation must include a deductible applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with an appropriate premium discount amount offered with each deductible amount.

3. The Legislature finds that it is in the public interest that indemnity funds paid pursuant to sinkhole loss claims are applied to repairing property damage in order to ensure that sinkhole indemnity funds paid for sinkhole damage are applied to above-ground and subsurface repairs. Therefore, a Citizens Sinkhole Repair Program shall be established by the corporation, subject to approval by the Office of Insurance Regulation and the Financial Services Commission. Any claim against a corporation policy that covers residential sinkhole loss for which it is determined that such loss has occurred must be included in the repair program.

a. The repair program may be managed by a third-party administrator and, at a minimum, must include the following components:

(I) The corporation may not require the policyholder to advance payment for repairs.

(II) All applicable provisions contained in the corporation's plan of operation apply, including, but not limited to, the consumer's right to courteous, prompt, and professional customer service and the right to fair, prompt and professional services.

(III) Repairs shall be conducted by repair contractors who are qualified based upon guidelines adopted by the Financial Services Commission by rule.

(A) The repair program shall select qualified repair contractors to perform repairs to damaged property pursuant to a fixed-price contract between the contractor and the policyholder. Pursuant to the terms of the contract, the selected repair contractor is solely responsible for the performance of all necessary repairs.

(B) Each qualified contractor shall post a performance bond, secured by a third-party surety, in favor of the corporation as obligee, in a principle amount equal to the total cost of all fixed-price contracts annually awarded to that repair contractor.

(C) Each repair contractor shall also provide a warranty to the policyholder which covers all repairs provided by the contractor for at least 5 years after completion of the repairs.

b. The corporation is not responsible for serving as a repair contractor. The corporation's obligations pursuant to the repair program are not an election to repair by the corporation and therefore do not imply a new contractual relationship.

c. The corporation's liability related to repair activity for damaged property included in the repair program is no greater than the limits of the policy covering that property.

d. For the purposes of the repair program, the presumed correctness specified in s. 627.7073(1)(c) of the findings, opinions, and recommendations by the professional engineer or geologist as to land and building stabilization and foundation repair are recognized by the Legislature as necessary to address the public policy interest in ensuring that sinkhole-damaged residential property is repaired. Therefore, the presumption is intended to operate as a burden-shifting presumption under ss. 90.302(2) and 90.304. ~~The office may establish a pilot program to offer optional sinkhole coverage in one or more counties or other territories of the corporation for the purpose of implementing s. 627.706, as amended by s. 30, chapter 2007-1, Laws of Florida. Under the pilot program, the corporation is not required to issue a notice of nonrenewal to exclude~~

~~sinkhole coverage upon the renewal of existing policies, but may exclude such coverage using a notice of coverage change.~~

And the directory clause is amended as follows:

Delete line 765 and insert:

(z), and (ee) of subsection (6) of section 627.351, Florida Statutes,

And the title is amended as follows:

Delete line 69 and insert: secured by a surplus note; prohibiting the corporation from denying sinkhole coverage for certain reasons; requiring the corporation to submit an annual report to the Office of Insurance Regulation and the Insurance Consumer Advocate on the number of residential sinkhole policies issued and declined; requiring the policy to include a deductible; establishing a Citizens Sinkhole Repair Program for sinkhole claims; providing program components; specifying the corporation's liability with respect to sinkhole claims; specifying the presumed correctness of professional engineer and geologist opinions; deleting obsolete provisions; requiring the corporation

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment:

Amendment 20 (446672) (with title amendment)—Between lines 2780 and 2781 insert:

Section 17. Paragraph (b) of subsection (1) of section 627.706, Florida Statutes, is amended to read:

627.706 Sinkhole insurance; catastrophic ground cover collapse; definitions.—

(1)

(b) The insurer shall make available, for an appropriate additional premium, coverage for sinkhole losses on any structure, including the contents of personal property contained therein, *in an amount equal to the full amount of coverage on the structure. The insurer may also offer less coverage equal to 25 or 50 percent of the amount of coverage on the structure, with an appropriate reduction in the additional premium to the extent provided in the form to which the coverage attaches.* The insurer may require an inspection of the property before issuance of sinkhole loss coverage. A policy for residential property insurance may include a deductible amount applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with appropriate premium discounts offered with each deductible amount.

And the title is amended as follows:

Delete line 105 and insert: made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

POINT OF ORDER

Senator Richter raised a point of order that pursuant to Rule 7.1 **Amendment 20 (446672)** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

RULING ON POINT OF ORDER

On recommendation of Senator Thrasher, Chair of the Committee on Rules, President Gaetz ruled the point not well taken. **Amendment 20 (446672)** was adopted.

Pursuant to Rule 4.19, **CS for SB 1770** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the Special Order Calendar Group was granted permission to meet 15 minutes after adjournment.

REPORTS OF COMMITTEES

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 1252

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 242

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 144

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1724

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 814; SB 1408

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 958

The bill with committee substitute attached was referred to the Committee on Communications, Energy, and Public Utilities under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1128

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1028; CS for SB 1594

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1410

The Committee on Health Policy recommends a committee substitute for the following: SB 1368

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

The Committee on Health Policy recommends a committee substitute for the following: SB 894

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 1276

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 860

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 984

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1696

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1098

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 580

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 824; SB 1014; CS for SB 1734; SB 1756

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 490

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

The Committee on Health Policy recommends a committee substitute for the following: SB 1112

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

The Committee on Rules recommends a committee substitute for the following: CS for SB 904

The bill with committee substitute attached was placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 288; CS for SB 644; SB 742; CS for SB 890; CS for SB 1350

Appropriations Subcommittee on Finance and Tax recommends the following pass: CS for CS for SB 554; SB 856; SB 1190; CS for SB 1718

Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 732; SB 1036; SB 1162; CS for SB 1690

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for CS for SB 442; CS for SB 572

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 1862—Not referenced.

By the Committee on Environmental Preservation and Conservation—

SB 1864—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of the specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was referred to the Committee on Rules.

SR 1866—Not referenced.

By Senator Bean—

SB 1868—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Banking and Insurance; and Senators Altman and Soto—

CS for SB 144—A bill to be entitled An act relating to payment for services provided by licensed psychologists; amending ss. 627.6131 and 641.3155, F.S.; adding licensed psychologists to the list of health care providers who are protected by a limitations period from claims for overpayment being sought by health insurers or health maintenance organizations; adding licensed psychologists to the list of health care providers who are subject to a limitations period for submitting claims to health insurers or health maintenance organizations for underpayment; amending s. 627.638, F.S.; adding licensed psychologists to the list of health care providers who are eligible for direct payment for medical services by a health insurer under certain circumstances; making technical and grammatical changes; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Banking and Insurance; and Senator Hukill—

CS for CS for SB 242—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing

for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the commissioner to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

By the Committees on Regulated Industries; and Judiciary; and Senator Stargel—

CS for CS for SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period

to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

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

CS for CS for SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding prohibited clauses in association documents; providing prohibited clauses in association documents; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner's liability for certain assessments; amending s. 720.315, F.S.; prohibiting increases in assessments levied pursuant to the annual budget under certain circumstances; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brandes—

CS for SB 814—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

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

CS for SB 824—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term "forensic behavioral health evaluation"; providing a statement of public necessity, applicability, and construction; providing an effective date.

By the Committee on Banking and Insurance; and Senator Galvano—

CS for SB 860—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

By the Committee on Health Policy; and Senator Braynon—

CS for SB 894—A bill to be entitled An act relating to community health workers; providing definitions; specifying the duties and activities of community health workers; creating the Community Health Worker Task Force within a state college or university; requiring the Department of Health to provide administrative support and services; providing membership and duties of the task force; requiring the members of the task force to elect a chair and vice chair; providing that task force members serve without compensation and are not entitled to reimbursement for per diem or travel expenses; requiring that the task force meet at least quarterly and meet in person, by teleconference, or by other electronic means; specifying the number of members required for a

quorum; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing for future repeal of the task force; providing an effective date.

By the Committees on Rules; and Education; and Senator Brandes—

CS for CS for SB 904—A bill to be entitled An act relating to education; amending s. 1002.45, F.S.; allowing individuals or organizations that provide individual online courses, including massive open online courses, which are measured by statewide assessments to apply for approval as state-level providers; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; requiring the Office of Program Policy Analysis and Government Accountability to review and provide recommendations to allow student access to massive open online courses for funding purposes; providing review requirements; requiring the office to provide findings and recommendations to the Governor and the Legislature by a specified date; requiring the Department of Education to develop a methodology and plan for calculating the Florida Education Finance Program which limits the sum of each student's full-time equivalent student membership value from all virtual programs or courses; providing requirements for the plan; requiring the department to conduct a student-based simulation of the revised methodology; requiring the department to submit a report to the Governor and the Legislature by a specified date; creating s. 1007.012, F.S.; creating the Florida Accredited Courses and Tests Initiative (FACTs); providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to satisfy certain requirements; defining the term "Florida-accredited course" as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited courses and their assessments be annually identified, approved, published, and shared for consideration by certain students and entities; requiring the Commissioner of Education and the Chancellor of the State University System to approve each Florida-accredited course and its assessments; requiring the Articulation Coordinating Committee to annually publish and share a list of approved Florida-accredited courses, their assessments, and other courses; amending s. 1007.24, F.S.; including providers of online courses in the statewide course numbering system; amending s. 1008.24, F.S.; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited courses; authorizing the Department of Education to contract for these services on behalf of the state or a school district, Florida College System institution, or state university; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; limiting the right of a county or municipality to regulate

natural gas storage facilities; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for SB 984—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for certain information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

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

CS for SB 1014—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the initial screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based drug court program; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Clemens—

CS for SB 1028—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service providers and vendors to disclose certain information; providing for applicability; authorizing the department to adopt rules; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 1098—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee’s bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee’s rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate’s rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee’s deed to be in a specific form; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 1112—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; allowing the Department of Highway Safety and Motor Vehicles to share driver license photographs with the Agency for Health Care Administration pursuant to an inter-agency agreement; amending s. 408.809, F.S.; adding additional disqualifying offenses to background screening provisions; amending s. 435.04, F.S.; revising information to be submitted for a background screening; adding additional disqualifying offenses; amending s. 435.07, F.S.; revising terminology; requiring that individuals seeking an exemption from disqualification must have completed all nonmonetary conditions imposed by the court for the disqualifying felony; requiring that all persons seeking an exemption from disqualification have paid any court-ordered monetary penalty in full before being eligible to apply; amending s. 435.12, F.S.; requiring that a photograph of the person taken at the time the fingerprints are processed be submitted to the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; requiring specified information to be included with the initiation of the screening registration within the clearinghouse; providing an effective date.

By the Committees on Banking and Insurance; and Health Policy—

CS for SB 1128—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms “health care coverage” or “health flex plan coverage” to include certain specified benefits; deleting the section’s expiration date; providing an effective date.

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

CS for CS for SB 1252—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising a definition; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency’s enforcement of regulatory laws; deleting the definitions of “minor violation” and “notice of noncompliance”; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing a short title; creating the Florida Concrete Masonry Council, Inc.; authorizing the council to levy an assessment on the sale of concrete masonry units under certain circumstances; providing the powers and duties of the council and restrictions upon actions of the council; providing for appointment of the governing board of the council; authorizing the council to submit a referendum to manufacturers of concrete masonry units for authorization to levy an assessment on the sale of concrete masonry units; providing procedure for holding the referendum; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing requirements for the manufacturer’s collection of assessments; requiring the council to adopt bylaws; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Education; and Senator Montford—

CS for CS for SB 1276—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for certain portions of meetings of a university direct-support organization or of the executive committee or other

committees of the board of directors of such organization; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

By the Committee on Health Policy; and Senator Ring—

CS for SB 1368—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations and registered intern licenses; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; amending s. 491.009, F.S.; revising acts constituting grounds for the denial of a license or disciplinary action; authorizing the board and the Department of Health to deny licensure or impose specified penalties against an applicant or licensee for certain violations; amending s. 491.0112, F.S.; revising a provision providing that a psychotherapist who commits sexual misconduct with a client or former client commits a felony of the third degree; amending s. 491.012, F.S.; prohibiting a person from using the title “mental health counselor coach” without a valid mental health counselor license; deleting an obsolete provision; amending s. 491.0145, F.S.; providing certified master social workers a limited exemption from continuing education requirements; amending s. 491.0149, F.S.; requiring the use of applicable professional titles by licensees, provisional licensees, and registrants on social media and other specified materials; creating s. 491.017, F.S.; providing a presumption of good faith for the actions of a court-appointed mental health professional who develops a parenting plan recommendation; prohibiting anonymous complaints; providing prerequisites for a parent to bring a suit against a mental health professional; providing for the awarding of attorney fees and court costs; providing an effective date.

By the Committee on Banking and Insurance; and Senator Richter—

CS for SB 1408—A bill to be entitled An act relating to captive insurance; replacing the term “captive insurer” with “captive insurance company” in part V of ch. 628, F.S.; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; expanding the risks that an industrial insured capital insurance company may insure; providing that an industrial insured captive insurance company may provide certain insurance if the company has and maintains unencumbered capital and surplus of a certain amount; amending s. 628.907, F.S.; conforming terms; amending s. 628.909, F.S.; conforming terms and requiring captive insurance companies to deposit and maintain securities for the protection of policyholders; amending ss. 628.9142, 628.915, 628.917, and 628.919, F.S.; conforming terms; providing an effective date.

By the Committees on Community Affairs; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled “General Provisions”; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code;

revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term “consultant”; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company’s investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the “Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act” to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II

of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm out-buildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment

dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying

classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College;

transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home

residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator Bradley—

CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency’s guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

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

CS for SB 1696—A bill to be entitled An act relating to governmental procedures and legal proceedings; amending s. 57.111, F.S.; revising the definition of the term “small business party”; providing conditions under which a proceeding is not substantially justified for purposes of an award under the Florida Equal Access to Justice Act; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 120.52, F.S.; defining the term “small business” as used in the Administrative Procedure Act; amending s. 120.55, F.S.; providing for publication of notices of rule development and of rules filed for adoption; providing additional notice of rule development, proposals, and adoptions; amending s. 120.56, F.S.; providing that the petitioner challenging a proposed rule or unadopted agency statement has the burden of establishing a prima facie case; amending s. 120.569, F.S.; providing for extension of time to render final agency action in certain circumstances; amending s. 120.57, F.S.; conforming proceedings opposing agency action based on an invalid rule or unadopted rule to proceedings for challenging rules; requiring notice of whether the agency will rely on the challenged rule or unadopted rule; providing for the administrative law judge to make certain findings and enter a final order on the validity of the rule or the use of an unadopted rule; providing for stay of proceedings not involving disputed issues of fact upon timely filing of rule challenge; amending s. 120.573, F.S.; authorizing any party to request mediation of rule challenge and declaratory statement proceedings; amending s. 120.595, F.S.; providing for an award of attorney fees and costs in specified challenges to agency action; removing certain exceptions from requirements that attorney fees and costs be rendered against the agency in proceedings in which the petitioner prevails in a rule challenge; requiring service of notice of invalidity to an agency before bringing a rule challenge as a condition precedent to award of attorney fees and costs; providing for award of additional attorney fees and costs for litigating entitlement to and amount of attorney fees and costs in administrative actions; providing that such awards of additional attorney fees and costs are not subject to certain statutory limits; amending s. 120.68, F.S.; providing for appellate review of orders rendered in challenges to specified rules or unadopted rules; amending s. 120.695, F.S.; providing for the designation of minor violations; requiring agency review and certification rules, a violation of which would be considered a minor violation, by a certain date; providing sanctions for failure to provide certification; requiring certification of minor violation status for rules adopted after a certain date; requiring public notice; providing certain exclusions; amending ss. 420.9072, 420.9075, and 443.091, F.S.; conforming cross-references; providing an effective date.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senators Garcia and Grimsley—

CS for CS for SB 1724—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., entitled “Transitional Living Facilities”; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client’s representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; requiring a facility to provide a therapeutic milieu that supports a culture of individual empowerment and responsibility; providing that the health and safety of the client is the primary concern of the facility; providing requirements and limitations for the use of physical restraints, seclusion, and chemical restraint medication on clients; requiring the Agency for

Health Care Administration to adopt rules; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; authorizing the agency to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; repealing s. 400.805, F.S., relating to transitional living facilities; providing that every transitional living facility licensed under s. 400.805, F.S., on or before a specified date is licensed under the provisions of the act; amending s. 381.745, F.S.; revising a definition; amending s. 381.75, F.S.; revising the duties of the Department of Health as they relate to transitional living facilities; amending s. 381.78, F.S.; conforming provisions to changes made by the act; amending ss. 408.802 and 408.820, F.S.; conforming a provision to changes made by the act; amending s. 400.93, F.S.; providing that transitional living facilities licensed under part XI of ch. 400, F.S., are exempt from home medical equipment provider licensure; amending s. 400.9905, F.S.; revising a definition; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Criminal Justice; and Senator Flores—

CS for CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

CS for SB 1756—A bill to be entitled An act relating to public records; creating s. 595.409, F.S.; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 394—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets; amending s. 817.361, F.S.; providing definitions; prohibiting the fraudulent repurchase of a multiuse ticket; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the resale or repurchase of multiuse tickets; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations; and Rules.

By the Committee on Rules; and Senator Joyner—

CS for SB 402—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committees on Rules; and Ethics and Elections; and Senator Braynon—

CS for CS for SB 544—A bill to be entitled An act relating to legislative lobbying expenditures; amending s. 11.045, F.S., and reenacting subsections (4)-(8), relating to lobbying before the Legislature; revising the term "expenditure" to exclude the use of a public facility or public property that is made available by a governmental entity to a legislator for a public purpose, to exempt such use from legislative lobbying requirements; providing exceptions when a member or an employee of the Legislature may accept certain expenditures made by a lobbyist or a principal; providing for the future expiration and the reversion as of a specified date of statutory text; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committees on Judiciary; Health Policy; and Community Affairs; and Senator Simmons—

CS for CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Margolis—

CS for SB 808—A bill to be entitled An act relating to a needle and syringe exchange pilot program; amending s. 381.0038, F.S.; requiring the Department of Health to establish a needle and syringe exchange pilot program in Miami-Dade County; providing for administration of the pilot program by the department or a designee; establishing pilot program criteria; providing that the distribution of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member or participant may be prosecuted; prohibiting the collection of participant identifying information; providing for the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; requiring a report to the Legislature; providing rulemaking authority; providing for severability; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Banking and Insurance; and Senator Galvano—

CS for SB 860—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

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

CS for CS for SB 1252—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.; revising a definition; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide

for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing a short title; creating the Florida Concrete Masonry Council, Inc.; authorizing the council to levy an assessment on the sale of concrete masonry units under certain circumstances; providing the powers and duties of the council and restrictions upon actions of the council; providing for appointment of the governing board of the council; authorizing the council to submit a referendum to manufacturers of concrete masonry units for authorization to levy an assessment on the sale of concrete masonry units; providing procedure for holding the referendum; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing requirements for the manufacturer's collection of assessments; requiring the council to adopt bylaws; providing an effective date.

—was referred to the Committees on Community Affairs; and Appropriations.

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

CS for CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "election" to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025,

F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term "same office"; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147,

106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **SB 212**, which he approved on April 11, 2013.

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate has been prepared for the following:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Withlacoochee Regional Planning Council, Region 5	
Appointee: Selph, Walter E., Brooksville	10/01/2015

Referred to the Committee on Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 10 was corrected and approved.

CO-INTRODUCERS

Senators Bradley—CS for SB 142; Bullard—CS for CS for SB 1106

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:11 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, April 16 or upon call of the President.



Journal of the Senate

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Monday, April 15, 2013

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REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Education recommends the following pass: CS for SB 1390; SB 1630

The bills were referred to the Committee on Appropriations under the original reference.

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for SB 316; CS for SB 960; SB 1200; SB 1280

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: SB 1012

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 21, CS for CS for HB 53, CS for CS for HB 113, CS for CS for HB 269, HB 407, CS for CS for HB 609, CS for HB 611, CS for HB 655, CS for HB 841, HB 941, CS for HB 4019, HB 4029, CS for HB 7029; has passed as amended HB 295, CS for HB 461, HB 525, CS for HB 585, CS for CS for HB 867, CS for CS for HB 1309, CS for CS for HB 7009; has passed by the required constitutional two-thirds vote of the members voting CS for HB 943 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Perry, Adkins, Edwards, Fresen, Porter, Raburn—

HB 21—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school district issuance and recognition of the identification badge; providing for validity period of the identification badge; providing for a uniform cost for receipt of the identification badge to be borne by

the contractor; providing an exception for certain contractors; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Education Appropriations Subcommittee, K-12 Subcommittee and Representative(s) Diaz, M., Adkins, Cummings, Eagle, Edwards, Fitzhagen, Hood, Hutson, La Rosa, Magar, Peters, Pigman, Rodrigues, R., Santiago, Spano, Stone—

CS for CS for HB 53—A bill to be entitled An act relating to the student assessment program for public schools; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-mandated assessments and publish the schedules on its website; requiring reporting of the schedules to the Department of Education; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Diaz, M., Albritton, Diaz, J., Edwards, Gonzalez, Hood, Hutson, Mayfield, Metz, Nuñez, Raburn, Rodrigues, R., Rooney, Stone, Van Zant—

CS for CS for HB 113—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain materials harmful to minors; providing that it is a third degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term "school property"; providing an exception; providing an effective date.

—was referred to the Committees on Education; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Regulatory Affairs Committee, Energy & Utilities Subcommittee and Representative(s) Beshears—

CS for CS for HB 269—A bill to be entitled An act relating to public construction projects; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Community Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Representative(s) Ingram, Ahern, Clelland, Cruz, Gaetz, Harrell, McBurney, Pilon, Slosberg, Van Zant—

HB 407—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Education Committee, K-12 Subcommittee and Representative(s) Fullwood, Adkins, Fasano, Harrell—

CS for CS for HB 609—A bill to be entitled An act relating to bullying in the public school system; amending s. 1006.147, F.S.; revising provisions prohibiting bullying or harassment of a student or school employee through the use of computer-related activities; prohibiting bullying or harassment through the use of data or computer software that is accessed at a nonschool-related location or activity if certain conditions are met; providing that bullying includes cyberbullying; defining the terms "cyberbullying" and "within the scope of a public K-12 educational institution"; requiring the use of computers without web-filtering software or computers with web-filtering software that is disabled when investigating complaints of cyberbullying; requiring that each school district include in its districtwide policy instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Rules.

By Criminal Justice Subcommittee and Representative(s) Watson, C., Albritton, Kerner, Mayfield, Pilon, Stone, Van Zant—

CS for HB 611—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; providing that it is a third degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a crime if the defendant has previously been convicted of this offense and the information, if communicated orally, is corroborated in a specified manner, or was communicated in writing; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By State Affairs Committee and Representative(s) Precourt, Mayfield, Spano, Van Zant—

CS for HB 655—A bill to be entitled An act relating to political subdivisions; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming

provisions to constitutional requirements relating to the state minimum wage; providing an effective date.

—was referred to the Committees on Community Affairs; Health Policy; Judiciary; and Appropriations.

By Judiciary Committee and Representative(s) Powell, Berman, Spano—

CS for HB 841—A bill to be entitled An act relating to powers of attorney; amending s. 709.2102, F.S.; revising and providing definitions; amending s. 709.2103, F.S.; providing additional exceptions to the applicability of specified power of attorney provisions; amending s. 709.2105, F.S.; authorizing a notary public to sign a principal's name on a power of attorney under certain circumstances; amending s. 709.2106, F.S.; clarifying and revising language; providing that an original power of attorney may be required under certain circumstances; providing that an original power of attorney may be recorded in the official records for a fee; amending s. 709.2114, F.S.; adding exceptions to a provision that prohibits an agent who has accepted appointment from delegating authority to a third person; amending s. 709.2116, F.S.; providing for the award of attorney fees and costs as in chancery actions; amending s. 709.2119, F.S.; authorizing a third person to require an agent to execute an affidavit stating that the agent's authority was not terminated because of certain circumstances; revising a form for affidavits; revising a cross-reference; revising terminology; amending s. 709.2120, F.S.; conforming provisions to changes made by the act; requiring a third person who rejects a power of attorney for certain reasons to state the reason for the rejection in writing; amending s. 709.2121, F.S.; providing for notice to a broker-dealer; amending s. 709.2202, F.S.; authorizing a notary to sign the principal's name to documents, other than the power of attorney, under certain circumstances; clarifying that certain gift amounts are based on the calendar year; specifying that a broker-dealer does not have a duty to inquire into certain actions by an agent and is not liable for actions taken in good faith reliance on an agent's actions; amending s. 709.2208, F.S.; providing that an agent acquires general authority regarding securities held by broker-dealers under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Representative(s) Schwartz—

HB 941—A bill to be entitled An act relating to fees and costs incurred in guardianship proceedings; amending s. 744.108, F.S.; providing that fees and costs incurred by an attorney who has rendered services to a ward in compensation proceedings are payable from guardianship assets; providing that expert testimony is unnecessary in proceedings to determine compensation for an attorney or guardian; amending s. 744.3025, F.S.; providing that a court may appoint a guardian ad litem to a minor if necessary to protect the minor's interests in a settlement; providing that a settlement of a minor's claim is subject to certain confidentiality provisions; amending s. 744.331, F.S.; directing that the examining committee be paid from state funds as court-appointed expert witnesses if a petition for incapacity is dismissed; requiring that a petitioner reimburse the state for expert witness fees if the court finds the petition to have been filed in bad faith; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Harrell—

CS for HB 4019—A bill to be entitled An act relating to juvenile justice; repealing s. 945.75, F.S.; deleting a requirement that the Department of Corrections and counties develop programs under which a

judge may order juveniles who have committed delinquent acts to tour correctional facilities; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officer position within the Department of Juvenile Justice; amending s. 121.0515, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Representative(s) Fitzenhagen—

HB 4029—A bill to be entitled An act relating to the Governor's private secretary; repealing s. 14.03, F.S., relating to the Governor's authority to appoint and commission a private secretary; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Education Committee, Choice & Innovation Subcommittee and Representative(s) Diaz, M., Ariles, Gaetz, Grant—

CS for HB 7029—A bill to be entitled An act relating to digital learning; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; revising and clarifying the requirements for reporting and funding a full-time equivalent student in the Florida Virtual School; providing requirements for funding a home education student enrolled in the Florida Virtual School; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School; amending s. 1002.45, F.S.; authorizing a school district to provide part-time virtual instruction for K-12 students in all courses; revising requirements for the use of virtual instruction in core-curricula courses for the purpose of meeting class size requirements; revising requirements for approval as a provider of virtual instruction programs or courses; providing requirements for conditional approval; revising and clarifying the requirements for reporting and funding a full-time equivalent student enrolled in a virtual instruction program; creating s. 1002.451, F.S.; authorizing a district school board to operate a district innovation school as a pilot program; providing delivery models for implementation of a schoolwide blended learning program; providing funding requirements; providing exemption from statutes and rules; amending s. 1003.01, F.S.; removing blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of core curricular courses for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students taking online courses across district lines; clarifying the requirements for reporting a full-time student; prohibiting a school district from requiring a public school student to take an online course at certain times or places; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; amending s. 1007.24, F.S.; including online courses provided by providers in the statewide course numbering system; amending s. 1011.61, F.S.; revising and clarifying the definition of a full-time equivalent student; revising provisions relating to funding based on student completion of end-of-course examinations; revising provisions relating to the maximum value for funding a student; creating s. 1011.622, F.S.; providing for funding adjustments for students without a common student identifier; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Representative(s) Bileca, Combee, Diaz, M., Harrell, McBurney, Metz, Pilon, Rooney, Van Zant—

HB 295—A bill to be entitled An act relating to American Founders' Month; providing a short title; creating s. 683.1455, F.S.; designating the month of September as "American Founders' Month"; authorizing the Governor to annually issue a proclamation designating the month and urging participation; amending s. 1003.44, F.S.; requiring district school boards to celebrate the American Founders and the principles inherent in the country's founding documents by observing American Founders' Month; providing guidelines for instruction; providing that instruction may be integrated into the existing school curriculum; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Choice & Innovation Subcommittee and Representative(s) Rooney, Ahern, Baxley, Berman, Broxson, Diaz, M., Fasano, Harrell, Jones, S., McBurney, McGhee, Metz, Nuñez, Passidomo, Rehwinkel Vasilinda, Spano, Stone, Zimmermann—

CS for HB 461—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model to each school district and provide technical assistance; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Representative(s) Raburn, Adkins, Cummings, Diaz, M., Edwards, Grant, Raschein, Rodrigues, R.—

HB 525—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 1013.105, F.S.; providing legislative findings; encouraging each district school board to adopt written policies to promote public access to outdoor recreation and sports facilities on school property, to increase the number of joint-use agreements, and to develop and adopt policies and procedures for an appeal process if negotiations for a joint-use agreement fail; providing duties of district school boards and the Department of Education; creating s. 768.072, F.S.; providing immunity from liability for a district school board that adopts public access policies or enters into a joint-use agreement except in instances of gross negligence or intentional misconduct; providing application; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Judiciary.

By Criminal Justice Subcommittee and Representative(s) Hood, Van Zant—

CS for HB 585—A bill to be entitled An act relating to law enforcement; amending ss. 125.5801 and 166.0442, F.S.; revising provisions for criminal history record checks for certain county and municipal employees and appointees; amending s. 406.145, F.S.; deleting duties of law enforcement agencies and the department relating to unidentified person reporting forms; amending s. 538.26, F.S.; limiting the number of lead-acid batteries or parts thereof that a secondary metals recycler may purchase in certain transactions in a single day; amending s. 937.021, F.S.; revising provisions relating to missing child and adult reports; amending s. 937.024, F.S.; revising provisions relating to the birth records of missing children; amending s. 937.025, F.S.; revising provisions providing criminal penalties for persons who knowingly provide false information concerning a missing child; amending s. 937.028, F.S.; re-

vising provisions relating to fingerprints of missing persons; authorizing retention of such fingerprints entered into the statewide biometric identification system; amending s. 943.03, F.S.; revising terminology relating to documents and information systems; deleting an obsolete provision; amending s. 943.031, F.S.; correcting a reference; revising provisions relating to meetings of the Florida Violent Crime and Drug Control Council, the Drug Control Strategy and Criminal Gang Committee, and the Victim and Witness Protection Review Committee; making specified provisions subject to legislative funding; providing for return of unexpended funds by specified recipients; amending s. 943.0435, F.S.; specifying additional items to be reported by persons required to register as sexual offenders; amending s. 943.04351, F.S.; revising requirements for searches of registration information regarding sexual predators and sexual offenders; amending s. 943.0438, F.S.; deleting an obsolete provision; amending s. 943.045, F.S.; defining the term "biometric"; revising the definition of the term "criminal justice information"; amending s. 943.05, F.S.; revising duties of the Criminal Justice Information Program; redesignating the statewide automated fingerprint identification system as the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring additional information to be collected from persons charged with or convicted of specified offenses and submitted electronically to the department; providing an exception to the fingerprinting of certain juveniles; amending s. 943.052, F.S.; revising terminology relating to disposition reporting; revising information to be submitted concerning persons received by or discharged from the state correctional system or certain juveniles committed to the Department of Juvenile Justice; amending s. 943.053, F.S.; revising a reference to rules governing criminal justice information received from the Federal Government or other states; conforming terminology; amending s. 943.054, F.S.; revising provisions relating to the availability of criminal history information derived from any United States Department of Justice criminal justice information system; amending s. 943.0542, F.S.; revising terminology relating to requests for screening; authorizing rulemaking relating to payments for screening; amending s. 943.0544, F.S.; revising terminology relating to the Criminal Justice Network; amending s. 943.055, F.S.; revising provisions relating to dissemination of criminal justice information derived from department information systems; providing for audits of noncriminal justice agencies when necessary to ensure compliance with requirements; amending s. 943.056, F.S.; providing for requests for corrections of federal criminal history record information in certain circumstances; amending s. 943.0582, F.S.; increasing the period in which a minor may seek expunction of a nonjudicial arrest record following completion of a diversion program; revising language relating to a statement to the department by a state attorney concerning such an expunction request; deleting an obsolete provision; amending ss. 943.0585 and 943.059, F.S.; revising language relating to expunctions and sealing precluded by prior criminal history sealings or expunctions; authorizing persons seeking authorization for employment with or access to certain seaports to deny or fail to acknowledge certain expunged or sealed records; amending s. 943.125, F.S.; providing for accreditation of correctional facilities, public agency offices of inspectors general, and certain pretrial diversion programs; authorizing funding and support of additional accreditation programs; amending s. 943.13, F.S.; deleting a provision authorizing temporary employment of a person seeking employment as a law enforcement or correctional officer if there is an administrative delay in fingerprint processing; deleting obsolete language; amending s. 943.132, F.S.; revising references to federal qualified active or qualified retired law enforcement concealed firearms provisions; deleting a requirement that the Criminal Justice Standards and Training Commission develop a uniform firearms proficiency verification card; amending s. 943.1395, F.S.; revising language relating to investigations on behalf of the Criminal Justice Standards and Training Commission; amending s. 943.1755, F.S.; providing that the department maintains responsibility for delivering and facilitating all Florida Criminal Justice Executive Institute training; revising membership of the institute's policy board; amending s. 943.1757, F.S.; deleting a requirement for a periodic report by the Criminal Justice Executive Institute concerning executive training needs; amending s. 943.25, F.S.; authorizing, rather than requiring,

the Criminal Justice Standards and Training Commission to forward to each regional training council a list of its specific recommended priority issues or items to be funded; authorizing the commission to use computer-based testing as an assessment instrument; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; revising provisions relating to the availability to defendants of state-operated criminal analysis laboratories; specifying that defense experts and others are not authorized to be present in such laboratories or use laboratory equipment; revising provisions relating to costs of laboratory testing performed for defendants; amending s. 943.68, F.S.; revising the due date of a report detailing transportation and protective services provided by the department; amending ss. 285.18, 414.40, 447.045, 455.213, 468.453, 475.615, 493.6105, 493.6108, 494.00312, 494.00321, 494.00611, 517.12, 538.09, 538.25, 548.024, 550.105, 550.908, 551.107, 560.141, 628.906, 633.34, 744.3135, 775.21, 775.261, 790.06, 944.607, 944.608, 985.11, 985.644, 985.4815, 1002.395, 1002.421, 1012.32, and 1012.467, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Appropriations.

By Education Committee, Choice & Innovation Subcommittee and Representative(s) Trujillo, Bileca, Adkins, Gaetz—

CS for CS for HB 867—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the school district to submit an implementation plan to the state board; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Albritton—

CS for CS for HB 1309—A bill to be entitled An act relating to the procurement of commodities and contractual services; amending s. 215.971, F.S.; providing additional information that must be included in an agency agreement that provides state financial assistance to a recipient or subrecipient; requiring each state agency to designate an employee to function as a grant manager for purposes of the agreement; requiring training for certain grant managers; requiring the Chief Financial Officer to establish and disseminate uniform procedures for grant management; requiring the grant manager to report certain information; requiring the Chief Financial Officer to perform audits of executed grant agreements; amending s. 215.985, F.S.; requiring the Chief Financial Officer to establish and maintain a secure contract tracking system; providing requirements for the system; requiring state agencies to post certain information on the contract tracking system within a specified timeframe; specifying information that must be posted on the contract tracking system; providing that records posted on the system may not contain confidential or exempt information; requiring state agencies to redact confidential or exempt information prior to posting records on the system; providing a process for a party to the contract to request redaction of confidential or exempt information; providing notice requirements; providing that posting of information on the contract tracking system does not supersede the duty of a state agency to respond to a public record request; providing that a subpoena for certain contract information must be served on the state agency that is party to the contract; authorizing the Chief Financial Officer to adopt rules; defining the term "state agency"; authorizing the judicial branch, Department of Legal Affairs, Department of Agriculture and Consumer Services, and Department of Financial Services to elect to comply with the posting requirements; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; providing an additional circumstance under which the department may proceed with a competitive solicitation or contract award process of a term contract as an alternative to the stay of such process pursuant to a formal written protest under the Administrative Procedure Act; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.056, F.S.; eliminating provisions requiring certain inclusions in agency agreements; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the Department of Management Services is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term "performance measure"; revising references within provisions relating to purchase orders used in

lieu of written agreements for classes of contractual services; revising terminology; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcing and negotiations is subject to annual appropriations; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contracts; creating reporting requirements; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; requiring the Department of Management Services, in consultation with the Chief Financial Officer, to prepare and submit a report to the Governor and Legislature relating to the eradication of human trafficking, slavery, and exploitive labor from supply chains for tangible goods offered for sale to the state; providing effective dates.

—was referred to the Committees on Governmental Oversight and Accountability; and Appropriations.

By Education Committee, Appropriations Committee, Choice & Innovation Subcommittee and Representative(s) Moraitis, Adkins—

CS for CS for HB 7009—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; clarifying enforcement of policies agreed to by the sponsor and charter school that are subsequently amended; requiring a sponsor to annually report specific information regarding charter applications; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; providing disclosure requirements for applicants of previous charter schools subject to corrective action or financial recovery plans; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; reducing the amount of time for negotiation of a charter; revising provisions relating to the issuance of a final order in contract dispute cases; clarifying instructional methods for blended learning courses; providing a restriction relating to a required certificate of occupancy; authorizing the consolidation of multiple charters into a single charter in certain circumstances; establishing student academic achievement as a priority in determining charter renewals and terminations; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; restricting expenditures upon nonrenewal, closure, or termination of a charter school; requiring an independent audit within a specified time after notification of nonrenewal, closure, or termination; prohibiting certain actions by a charter school; providing penalties; requiring a charter school to maintain specified information on a website; revising provisions relating to determination of a charter school's student enrollment; revising provisions requiring charter school compliance with statutes relating to education personnel compensation, contracts, and performance evaluations and workforce reductions; providing requirements for the reimbursement of federal funds to charter schools; providing restrictions on the membership of a governing board; amending s. 1002.331, F.S.; revising criteria for classification as a high-performing charter school; providing requirements for modification of the charter of a high-performing charter school; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; authorizing an entity operating outside the state to obtain high-performing charter school system status under certain circumstances; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; authorizing declassification as a high-performing charter school system; requiring the department to develop a proposed statewide, standard charter contract; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Judiciary Committee and Representative(s) Schwartz—

CS for HB 943—A bill to be entitled An act relating to public records; amending s. 744.3701, F.S.; creating an exemption from public records requirements for records relating to the settlement of a claim on behalf of a minor or ward; authorizing a guardian ad litem, a ward, a minor, and a minor’s attorney to inspect guardianship reports and court records relating to the settlement of a claim on behalf of a minor or ward, upon a showing of good cause; authorizing the court to direct disclosure and recording of an amendment to a report or court records relating to the settlement of a claim on behalf of a ward or minor, in connection with real property or for other purposes; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Oversight and Accountability; and Rules.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives, having passed CS for SB 406, CS for CS for SB 878, SB 1500, SB 1502, SB 1504, SB 1508, SB 1510, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, CS for CS for SB 1660, CS for CS for SB 1720, CS for SB 1762, SB 1802, and SB 1810 with amendments; and passed SB 1506 by the required constitutional three-fifths vote of the membership with an amendment, accedes to the request of the Senate for a conference.

Robert L. “Bob” Ward, Clerk

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1076.

Robert L. “Bob” Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

ENROLLING REPORTS

CS for CS for SB 1076 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 15, 2013.

Debbie Brown, Secretary

CO-INTRODUCERS

Senators Abruzzo—SR 1836; Evers—SB 1190; Richter—SR 1862; Sachs—CS for CS for CS for SB 52, CS for SB 316, CS for CS for SB 436, CS for SB 504, SB 1190; Soto—SR 1836

SENATE PAGES

April 15-19, 2013

Emma Boswell, DeLand; Hannah Boswell, DeLand; Elizabeth Bradford, Lithia; Doug Brantley, Ormond Beach; Tyler Gottlieb, Hollywood; Lauren Jeffrey, Sarasota; Imani Jennings, Miami; DJ Johnson, Tallahassee; Daniel Mayer, Boynton Beach; Tom Perry, Moore Haven; Meaghan Sapp, Quincy



Journal of the Senate

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Tuesday, April 16, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:00 a.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

MOMENT OF SILENCE

At the request of Senator Smith, the Senate observed a moment of silence, led by Rabbi Jeffrey Kurtz-Lendner, for Christina Oliver Joseph, Makita Campbell, Shonteria Grimsley, Jason Mahlung, and Orane Cummings, all of whom died in a car accident on April 13, 2013, in Riviera Beach.

PRAYER

The following prayer was offered by Rabbi Jeffrey Kurtz-Lendner, Temple Solel, Hollywood:

It is an honor and privilege to share blessings with this esteemed body. I would like to thank my Temple Member, Senator Eleanor Sobel, for arranging this invitation. I would like to begin with a story. It is a story of an old Jewish man who visits Auschwitz and he begins mumbling while at Auschwitz. His companion asks, "What are you mumbling?" and he says, "A prayer." His companion asks, "What are you praying for?"

and he says, "I'm thanking God." His companion says, "What on earth are you thanking God for here at Auschwitz?" and he says, "I am thanking God for making me not like them."

As we come together on this most somber of mornings to a most eternal source of all being, we ask your blessings upon this body of lawmakers that they recognize the holy spirit that you have imbued within each individual, within every human being, each one of us having been created in your image, each one of us, one of your children. We ask your blessings upon this body to affirm the wisdom you bestowed upon our forebearers. You foresaw the astuteness of debate by philosophical discourse with words and hands and not with swords. We must never forget that in this great nation our political disputes are resolved with dialectic and not with violence.

Let us remember that we have been bestowed with a forum where we can come together in this room: Democrats, Republicans, liberals, conservatives, Christians, Jews, Muslims, Buddhists, and atheists—let us never forget that we all love this country and we all love this state. Let us never forget that when the dialectic has ended we can and should depart, not as adversaries, but as friends, like Rabbinic scholars of the Talmud who debated in the halls of the academy and then celebrated great feasts together when the debate concluded.

Unlike those who perpetuate violence with hatred, let us fight the hatred that our nation faced yesterday. Let us fight that hatred with love and friendship. Remember in this forum and in our communities that, unlike those who do violence, we do not hate those from whom we diverge, but instead we remain friends and we fight violence with love. May we all remember that each one of us was granted our own gifts and talents from the supreme author of creation and all work that we do can be performed for the sake of a blessing or curse, for the sake of ourselves, or for the sake of our communities, for the improvement of our own personal lives, or for the improvement of the lives of other human beings.

We ask your guidance so that our work, our decisions, and our efforts shall be for good and not for selfishness, for blessing and not for curse, and may we be able on this somber day to thank God for making us, too, not like them. We ask your blessings in your holy name. Let us say, Amen.

PLEDGE

Senate Pages DJ Johnson of Tallahassee; Daniel Mayer of Boynton Beach; Doug Brantley of Ormond Beach; Lauren Jeffrey of Sarasota; and Elizabeth Bradford of Lithia 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. Steele Lancaster of Tallahassee, sponsored by Senator Galvano, as doctor of the day. Dr. Lancaster specializes in Internal Medicine.

MOMENT OF SILENCE

By direction of the President, the Senate observed a moment of silence for those injured and killed in the bombing at the Boston Marathon in Boston, Massachusetts, on April 15, 2013.

ADOPTION OF RESOLUTIONS

On motion by Senator Richter—

By Senator Richter—

SR 414—A resolution recognizing July 2013 as “Bladder Cancer Awareness Month” in Florida.

WHEREAS, bladder cancer is the fifth most common cancer in the United States, and

WHEREAS, men have a 1 in 27 chance and women have a 1 in 86 chance of being diagnosed with bladder cancer in their lifetime, and

WHEREAS, every year in the United States approximately 70,000 new cases of bladder cancer are diagnosed and nearly 14,000 people die from the disease, and

WHEREAS, bladder cancer occurs in more women annually than cervical cancer, and

WHEREAS, women often have a delayed diagnosis due to bladder cancer being mistaken for common gynecological problems, and

WHEREAS, although bladder cancer can occur at any age, a high percentage of people suffering from the disease are over the age of 55, and

WHEREAS, due to a nearly 80 percent recurrence rate, bladder cancer is one of the most expensive cancers to treat, NOW, THEREFORE,

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

That July 2013 is recognized as “Bladder Cancer Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Richter, **SR 414** was read the second time by title and adopted.

On motion by Senator Sobel—

By Senators Sobel and Abruzzo—

SR 1292—A resolution recognizing the 65th anniversary of the independence of the State of Israel.

WHEREAS, on May 14, 1948, the State of Israel was established as a sovereign and independent country and the first Jewish state in 2,000 years, and

WHEREAS, based on the precepts of liberty, justice, and peace, Israel has provided the Jewish people worldwide with an opportunity to re-establish their ancient homeland while providing a home to religious sites that are sacred to Judaism, Christianity, and Islam, and

WHEREAS, the people of Israel have established a pluralistic democracy that incorporates the freedoms cherished by the people of the United States, including the freedom of speech, the freedom of religion, the freedom of association, and the freedom of the press, and

WHEREAS, Israel continues to serve as a shining model of democratic values by holding free and fair elections, promoting the free exchange of ideas, and maintaining a democratic government that is fully representative of its citizens, and

WHEREAS, the government of Israel has successfully worked with its neighboring governments of Egypt and Jordan to establish peaceful bilateral relations and, despite conflicts with other neighboring countries, continues to seek peace in the Middle East, and

WHEREAS, Israel has made significant global contributions in the fields of science, medicine, and technology, and

WHEREAS, Israel maintains a strategic partnership with the United States based on shared democratic values, friendship, and respect, NOW, THEREFORE,

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

That the State of Israel and its people are recognized for their numerous achievements and extended best wishes as they celebrate the 65th anniversary of the independence of their country.

—was introduced out of order and read by title. On motion by Senator Sobel, **SR 1292** was read the second time in full and adopted.

At the request of Senator Richter—

By Senator Richter—

SR 168—A resolution encouraging the observance of National Spirit of ‘45 Day in the state on August 11, 2013.

WHEREAS, on August 14, 1945, the people of the United States received word of the end of World War II and greeted the news of the Allies’ noble victory with joyous celebration, humility, and spiritual reflection, and

WHEREAS, the victory marked the culmination of an unprecedented national effort that defeated the forces of aggression, brought freedom to subjugated nations, and ended the horrors of the Holocaust, and

WHEREAS, these historic accomplishments were achieved through the collective service and personal sacrifice of the people of the United States, both those who served in uniform and those who supported them on the home front, and the more than 400,000 Americans who gave their lives in service to their country during World War II, and

WHEREAS, August 14, 1945, marked not only the end of the war but also the beginning of an unparalleled era of rebuilding led by the United States to restore the societies of both its allies and former foes alike and the formation of an array of organizations and institutions that helped to strengthen American democracy by promoting civic engagement, volunteerism, and service to community and country, and

WHEREAS, the courage, dedication, self-sacrifice, and compassion of the “ordinary heroes” of the World War II generation continue to inspire our nation, especially the men and women of the United States Armed Forces who are currently serving around the world protecting our country, and

WHEREAS, the entire World War II generation, military and civilian alike, has provided a model of national unity and community that will continue to serve as a source of inspiration for current and future generations of Americans to come together to work for the continued prosperity of the United States and the world, and

WHEREAS, National Spirit of ‘45 Day is observed each year on the second Sunday in August to commemorate the anniversary of the end of World War II on August 14, 1945, NOW, THEREFORE,

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

That the Senate of the State of Florida encourages the observance of National Spirit of ‘45 Day in Florida on August 11, 2013.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Florida Spirit of ‘45 Committee as a tangible token of the sentiments expressed herein.

—**SR 168** was introduced, read and adopted by publication.

At the request of Senator Montford—

By Senator Montford—

SR 426—A resolution recognizing the month of April as “Esophageal Cancer Awareness Month in Florida.”

WHEREAS, esophageal cancer is the fastest-growing cancer diagnosis in the United States, increasing more than 400 percent in the past 20 years, and

WHEREAS, esophageal cancer is among the deadliest of cancers, killing one American every 36 minutes, with fewer than one in five patients surviving 5 years, and

WHEREAS, esophageal cancer has low survival rates because it is usually discovered at advanced stages, when treatment outcomes are poor, and

WHEREAS, in the United States, esophageal cancer is most often caused by persistent heartburn or gastroesophageal reflux disease (GERD), yet many who are at risk are unaware of the potential danger GERD can present when it occurs over several weeks or months, and

WHEREAS, esophageal cancer is often a silent killer, with patients often unaware that cough, hoarse voice, sore throat, or chest pain may be a sign of GERD and a reason to discuss screening for the disease with their health care professional, and

WHEREAS, esophageal cancer may develop from GERD when acid from the stomach creates cellular change in the esophagus, resulting in a precancerous condition known as Barrett’s Esophagus, which can lead to a 125-fold increase in a patient’s risk of developing esophageal cancer, and

WHEREAS, esophageal cancer may be prevented through early detection of its precursor, Barrett’s Esophagus, which can be treated with new, curative techniques, and

WHEREAS, the Esophageal Cancer Action Network and Esophageal Cancer Support, Inc., are working to improve public awareness of the link between heartburn and cancer and actively support progress in the early detection and treatment of esophageal cancer, and

WHEREAS, increased awareness of esophageal cancer, coupled with improvements in prevention, early detection, and treatment strategies, will enhance the health and well-being of all Americans, NOW, THEREFORE,

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

That the month of April is recognized as “Esophageal Cancer Awareness Month” in Florida.

—**SR 426** was introduced, read and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1296—A resolution recognizing July 27 and 28, 2013, as “Florida Family Golf Days.”

WHEREAS, the golf industry has become an integral part of the economy, identity, and quality of life in this state, and

WHEREAS, golf has become a major component of Florida’s economy, with a direct economic impact in 2007 of \$7.5 billion and an indirect economic benefit of \$13.8 billion, and

WHEREAS, the golf industry employs 167,000 Floridians and has an annual payroll of \$4.7 billion, and

WHEREAS, Florida is home to the PGA TOUR in Ponte Vedra Beach, the LPGA in Daytona Beach, the PGA of America in Palm Beach Gardens, The First Tee, the World Golf Hall of Fame, and the World Golf Foundation in St. Augustine, and

WHEREAS, Florida enjoys nationally recognized statewide golf industry associations, including the Florida Club Managers Association of America, The Golf Course Superintendents Association of America, the Florida State Golf Association, and the Florida Sections of the PGA of America, and

WHEREAS, Florida is home to more than 1,200 public and private golf course facilities, more than any other state in America, which generate revenues of \$3.4 billion, more than all other spectator sports in the state combined, and

WHEREAS, Florida will host 14 professional golf championships in 2013, including five PGA TOUR events, two Champions Tour events, a Web.com Tour event, an LPGA Tour event, three “Legends Tour” events, and five Symetra Tour events, and

WHEREAS, two of golf’s most prestigious events are played in Florida, THE PLAYERS Championship at TPC Sawgrass in Ponte Vedra Beach and the World Golf Championships – Cadillac Championship, played since 2007 at the Blue Monster Course of the Doral Golf Resort & Spa, and

WHEREAS, Florida’s golf industry is a top contributor to charitable organizations, with donations totaling more than \$312 million annually from numerous charitable golf outings and events as well as the charitable giving associated with professional golf tournaments, and

WHEREAS, beneficiaries of these charitable events include Miami Children’s Hospital, First Tee Miami, the Make-A-Wish Foundation, Baptist Children’s Hospital, the Children’s Miracle Network hospitals, the Nicklaus Children’s Health Care Foundation, The First Tee National School Program, Boy Scouts of America, the American Red Cross, the Alzheimer’s Support Network, Big Brothers/Big Sisters of Southwest Florida, and many others, and

WHEREAS, Florida’s golf courses and superintendents have continued to be stewards of the environment by using best practices in hazardous waste management, wetland and stormwater protection, and wastewater minimization, and

WHEREAS, the game of golf assists in the development of Florida’s youth through the introduction of life skills experiences, management of emotions, goal setting, conflict resolution, and improving relationships with family and community, and

WHEREAS, the concentration of golf activity in Florida in 2013 will bring an unprecedented amount of worldwide exposure to this state, and

WHEREAS, golf is a tremendous asset to this state, impacting quality of life and tourism and strengthening the state’s position as a great place to live and do business, and

WHEREAS, the golf industry has a tremendous impact on the state’s economy, provides recreation and wellness opportunities for residents of all ages, fosters strong character development for Florida’s youth, provides opportunities for family playtime together, contributes significantly to charitable organizations, and is intrinsic to the brand of the Sunshine State, NOW, THEREFORE,

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

That, in recognition of the importance of golf in strengthening families and to the economy of this state, the Senate recognizes July 27 and 28, 2013, as “Florida Family Golf Days.”

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the affiliated organizations of the World Golf Foundation as a tangible token of the sentiments expressed in this resolution.

—**SR 1296** was introduced, read and adopted by publication.

At the request of Senator Soto—

By Senator Soto—

SR 1866—A resolution designating April 18, 2013, as “Puerto Rico Day” in Florida.

WHEREAS, the Commonwealth of Puerto Rico was discovered by Christopher Columbus in 1493 and ceded by Spain to the United States in 1898, following the Spanish-American War, and

WHEREAS, with a population of nearly 4 million people, the Commonwealth of Puerto Rico boasts an additional 2.7 million Puerto Ricans who live in the continental United States, approximately one-half of whom are second and third generation, and

WHEREAS, more than 250,000 Puerto Ricans reside in the State of Florida, predominantly in South Florida and the Orlando area, and

WHEREAS, the people of Puerto Rico represent a diverse cultural and racial mix, and

WHEREAS, Puerto Rico is a self-governing commonwealth in association with the United States, the commonwealth's chief of state is the President of the United States of America, and the head of Puerto Rico's government is an elected governor, and

WHEREAS, Puerto Rico has one of the most dynamic economies in the Caribbean region, with exports and imports nearly doubling between fiscal years 1987 and 1997, and

WHEREAS, the tourism industry has traditionally been an important source of income for Puerto Rico, with nearly 3.9 million tourists in 1993, providing 7 percent of the island's Gross National Product and employing over 60,000 people, and

WHEREAS, the State of Florida promotes the enhancement of trade, business, cultural, and educational exchanges with the Commonwealth of Puerto Rico, NOW, THEREFORE,

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

That April 18, 2013, is designated as "Puerto Rico Day" in the State of Florida.

—**SR 1866** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1644** was removed from the Special Order Calendar and referred to the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5401 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5401—A bill to be entitled An act relating to transparency in state contracting; amending s. 215.985, F.S.; requiring the Chief Financial Officer to establish and maintain a secure website for public viewing of information contained in the contract tracking system; requiring state agencies to post certain information to the contract tracking system; requiring that exempt and confidential information be redacted from contracts posted on the system; providing a process for state agencies when a document has not been properly redacted; providing a method for a party to a contract to notify a state agency that a document has not been properly redacted and to request redaction; requiring the display of a notice of the right of an affected party to request redaction; providing that certain persons are not responsible for redacting confidential or exempt information and are not liable for failure of a state agency to redact the information; providing that posting information on the contract tracking system does not supersede the duty of a state agency to respond to a public records request; providing for service of a subpoena; authorizing the Chief Financial Officer to adopt rules; defining the term "state agency"; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5401** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (322536) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5401** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5501 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5501—A bill to be entitled An act relating to weights and measures instruments and devices; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to commercial use permits for weights and measures instruments and devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extension of the expiration date; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5501** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (214886) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5501** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Ring
Dean	Hukill	Simmons
Detert	Joyner	Simpson
Diaz de la Portilla	Latvala	Smith
Evers	Lee	Sobel
Flores	Legg	Soto
Galvano	Margolis	Stargel
Gardiner	Montford	Thompson
Gibson	Negron	Thrasher
Grimsley	Richter	

Soto	Thompson
Stargel	Thrasher

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

Nays—None

Vote after roll call:

Yea—Garcia, Sachs

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **HB 5501** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

While I do not believe I have a conflict, out of an abundance of caution, I file this disclosure. As a farmer, I employ the use of scales and other such weights and measures instruments and devices.

As permitted by Senate Rule, I may vote on this matter.

Senator Greg Evers, 2nd District

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5503** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

HB 5503—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending ss. 328.72 and 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; providing an effective date.

On motion by Senator Hays, by two-thirds vote, **HB 5503** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Hays and adopted:

Amendment 1 (210764) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Hays, by two-thirds vote **HB 5503** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Margolis
Bean	Galvano	Montford
Benacquisto	Gardiner	Negron
Bradley	Gibson	Richter
Brandes	Grimsley	Ring
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel

MOTIONS

On motion by Senator Negron, the Senate having passed **HB 5401**, **HB 5501**, and **HB 5503** with amendments, acceded to the request of the House to include these bills in the appropriations conference.

On motion by Senator Thrasher, by two-thirds vote **HB 5401**, **HB 5501**, and **HB 5503** were ordered immediately certified to the House.

SPECIAL GUESTS

Senator Gardiner introduced former Representative Loranne Ausley who was present in the chamber.

BILLS ON THIRD READING

CS for CS for SB 86—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term "school property"; providing an exception; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 86**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 113** was withdrawn from the Committees on Education; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Flores, by two-thirds vote—

CS for CS for HB 113—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain materials harmful to minors; providing that it is a third degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term "school property"; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 86** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **CS for CS for HB 113** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Lee	Thrasher

Nays—None

Vote after roll call:

Yea—Sachs, Simmons, Sobel

SB 356—A bill to be entitled An act relating to mutual insurance corporations; amending ss. 627.971 and 627.972, F.S.; providing that such corporations include licensed mutual insurers as well as licensed stock insurers; amending s. 617.01401, F.S.; revising the definition of the term “distribution” to exclude a not-for-profit insurance company subsidiary from ch. 617, F.S., relating to not-for-profit corporations; amending s. 628.371, F.S.; providing that certain dividends or distributions by a not-for-profit insurance company to its mutual insurance holding company which meet certain requirements are permitted under part I of ch. 628, F.S., relating to stock and mutual insurers; amending s. 628.703, F.S.; amending definitions relating to mutual insurance holding companies to add provisions for not-for-profit insurance companies and nonprofit health care plans; amending s. 628.707, F.S.; conforming terminology; amending s. 628.715, F.S.; adding not-for-profit insurance companies and nonprofit health plans to provisions relating to mergers and acquisitions; amending s. 628.727, F.S.; authorizing the articles of incorporation and bylaws of a mutual insurance holding company to restrict certain rights of policyholders to receive distributions; providing effective dates.

—as amended April 10 was read the third time by title.

On motion by Senator Abruzzo, **SB 356** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Sachs, Simmons

Consideration of **CS for SB 1770** was deferred.

SPECIAL ORDER CALENDAR

CS for CS for CS for SB 52—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term “wireless communications device”; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

—was read the second time by title. On motions by Senator Detert, by two-thirds vote **CS for CS for CS for SB 52** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Simpson
Brandes	Gibson	Smith
Braynon	Grimsley	Sobel
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Dean	Joyner	Thompson
Detert	Latvala	Thrasher

Nays—None

Vote after roll call:

Yea—Margolis, Sachs, Simmons

Nay—Negron

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for CS for CS for SB 52** was ordered immediately certified to the House.

On motion by Senator Altman—

CS for SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; clarifying in s. 393.063, that the meaning of the terms “intellectual disability” or “intellectually disabled” is the same as the meaning of the terms “mental retardation,” “retarded,” and “mentally retarded” for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term “intellectually disabled” for the term “mentally retarded”; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 916.107, F.S.; substituting the term “intellectual disability” for the term “retardation”; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12, 945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms “intellectual disability” or “intellectually disabled” are interchangeable with and have the same meaning as the terms “mental retardation,” or “retardation” and “mentally retarded,” as defined before the effective date of the act; substituting the term “intellectual disability” for the term “mental retardation”; expressing legislative intent; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 142** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

SB 282—A bill to be entitled An act relating to consumer finance charges; amending s. 516.031, F.S.; increasing the proportionate loan

amounts that are subject to descending maximum rates of interest; increasing the maximum delinquency charge that may be imposed for each loan payment in default for not less than a specified time; reenacting and amending s. 516.19, F.S., relating to penalties, for the purpose of incorporating the amendment made to s. 516.031, F.S., in a reference thereto; providing penalties; making technical and grammatical changes; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for SB 320—A bill to be entitled An act relating to gasoline; amending s. 526.203, F.S.; providing that gasoline sold in this state is encouraged to be, rather than must be, blended gasoline; providing an effective date.

—was read the second time by title.

Senator Evers moved the following amendment which was adopted:

Amendment 1 (425028) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Sections 526.201, 526.202, 526.203, 526.204, 526.205, 526.206, and 526.207, Florida Statutes, are repealed.*

Section 2. Subsection (2) of section 206.43, Florida Statutes, is amended to read:

206.43 Terminal supplier, importer, exporter, blender, and wholesaler to report to department monthly; deduction.—The taxes levied and assessed as provided in this part shall be paid to the department monthly in the following manner:

(2)(a) Such report may show in detail the number of gallons so sold and delivered by the terminal supplier, importer, exporter, blender, or wholesaler in the state, and the destination as to the county in the state to which the motor fuel was delivered for resale at retail or use shall be specified in the report. The total taxable gallons sold shall agree with the total gallons reported to the county destinations for resale at retail or use. All gallons of motor fuel sold shall be invoiced and shall name the county of destination for resale at retail or use.

~~(b) Each terminal supplier, importer, blender, and wholesaler shall also include in the report to the department the number of gallons of blended and unblended gasoline, as defined in s. 526.203, sold.~~

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all gasoline offered for sale in this state include a percentage of ethanol, subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 320** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for CS for SB 398—A bill to be entitled An act relating to physical assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician's patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 398** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 600—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.051, F.S.; revising restrictions relating to electors requiring assistance in casting ballots; conforming a provision to changes made by the act; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s.

102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 600**, on motion by Senator Latvala, by two-thirds vote **CS for HB 7013** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

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

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 600** and read the second time by title.

Senator Latvala moved the following amendment:

Amendment 1 (301346) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 97.0555, Florida Statutes, is amended to read:

97.0555 Late registration.—An individual or accompanying family member who has been discharged or separated from the uniformed services or the *United States Merchant Marine, has returned from a combat zone or forward-deployed area, or has separated from employment outside the territorial limits of the United States, after the book-closing date for an election pursuant to s. 97.055 and who is otherwise qualified may register to vote in such election until 5 p.m. on the Friday before that election in the office of the supervisor of elections. Such persons must produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.*

Section 2. Subsection (3) of section 97.061, Florida Statutes, is amended to read:

97.061 Special registration for electors requiring assistance.—

(3) The precinct register generated by the supervisor shall contain a notation that such person is eligible for assistance in voting, and the supervisor may make a notation on the voter information card that such person is eligible for assistance in voting. Such person shall be entitled to receive the assistance of two election officials or some other person of his or her own choice *that he or she knew before election day, other than the person's employer, the agent of the person's employer, or an officer or agent of the person's union,* without the necessity of executing the "Declaration to Secure Assistance" prescribed in s. 101.051. *However, a person entitled to assistance may not receive assistance from his or her employer, an agent of his or her employer, or an officer or agent of his or her union.* Such person shall notify the supervisor of any change in his or her condition which makes it unnecessary for him or her to receive assistance in voting. *An individual may not provide assistance to more than 10 electors during any election.*

Section 3. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.

Section 4. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday ~~10~~ ¹² weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 5. Subsection (1) of section 101.051, Florida Statutes, is amended to read:

101.051 Electors seeking assistance in casting ballots; oath to be executed; forms to be furnished.—

(1)(a) Any elector applying to vote in any election who requires assistance to vote by reason of blindness, disability, or inability to read or write may request the assistance of two election officials or some other person of the elector's own choice *that he or she knew before election day. However, such elector may not receive assistance from his or her employer, an agent of his or her employer, or an officer or agent of his or her union. An individual may not provide assistance to more than 10 electors during any election, other than the elector's employer, an agent of the employer, or an officer or agent of his or her union, to assist the elector in casting his or her vote.*

(b) Any such elector, before retiring to the voting booth, may have one of such persons read over to him or her, without suggestion or interference, the titles of the offices to be filled and the candidates therefor and the issues on the ballot. After the elector requests the aid of the two election officials or the person of the elector's choice, they shall retire to the voting booth for the purpose of casting the elector's vote according to the elector's choice.

Section 6. Subsection (3) of section 101.161, Florida Statutes, is amended to read:

101.161 Referenda; ballots.—

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and ~~either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision.~~ *If a joint resolution that proposes a constitutional amendment or revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, the first ballot summary, in order of priority, may not exceed 75 words in length.*

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.

(c)~~(b)~~1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to

each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. *The revised ballot summary may exceed 75 words in length.* The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

~~3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.~~

Section 7. Subsection (3) of section 101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—

(3)(a) *Before the Department of State approves the electronic or electromechanical voting system, the person who submitted it for examination shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(b) *Before entering into a contract for the sale or lease of a voting system approved under this section to any county, the person entering into such contract shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(c) *The department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the department at the time of delivery or attempted delivery is valid for all notice purposes.*

(d) *Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the department shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the department may shall not be adopted for or used at any election.*

~~(e)~~ (b) *After a voting system has been approved by the Department of State, any change or improvement in the system is required to be approved by the department prior to the adoption of such change or improvement by any county. If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.*

Section 8. Section 101.56065, Florida Statutes, is created to read:

101.56065 *Voting system defects; disclosure; investigations; penalties.—*

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

(a) *“Defect” means:*

1. *Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in non-conformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots; or*

2. *Any failure or inability of the voting system manufacturer or vendor to make available or provide approved replacements of hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system's nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots.*

(b) *“Standards” refers to the requirements in ss. 101.5606 and 101.56062 under which a voting system was approved for use in the state.*

(c) *“Vendor” means a person who submits or previously submitted a voting system that was approved by the Department of State in accordance with s. 101.5605, or a person who enters into a contract for the sale or lease of a voting system to any county, or that previously entered into such a contract that has not expired.*

(2)(a) *No later than December 31, 2013, and, thereafter, on January 1 of every odd-numbered year, each vendor shall file a written disclosure with the department identifying any known defect in the voting system or the fact that there is no known defect, the effect of any defect on the operation and use of the approved voting system, and any known corrective measures to cure a defect, including, but not limited to, advisories and bulletins issued to system users.*

(b) *Implementation of corrective measures approved by the department which enable a system to conform to the standards and ensure the timeliness and accuracy of the casting and counting of ballots constitutes a cure of a defect.*

(c) *If a vendor becomes aware of the existence of a defect, he or she must file a new disclosure with the department as provided in paragraph (a) within 30 days after the date the vendor determined or reasonably should have determined that the defect existed.*

(d) *If a vendor discloses to the department that a defect exists, the department may suspend all sales or leases of the voting system in the state and may suspend the use of the system in any election in the state. The department shall provide written notice of any such suspension to each affected vendor and supervisor of elections. If the department determines that the defect no longer exists, the department shall lift the suspension and provide written notice to each affected vendor and supervisor of elections.*

(e) *If a vendor fails to file a required disclosure for a voting system previously approved by the department, that system may not be sold, leased, or used for elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605. The department shall provide written notice to all supervisors of elections that the system is no longer approved.*

(3)(a) *If the department has reasonable cause to believe a voting system approved pursuant to s. 101.5605 contains a defect either before, during, or after an election which has not been disclosed pursuant to subsection (2), the department may investigate whether the voting system has a defect.*

(b) *The department may initiate an investigation pursuant to paragraph (a) on its own initiative or upon the written request of the supervisor of elections of a county that purchased or leased a voting system that contains the alleged defect.*

(c) *Upon initiating an investigation, the department shall provide written notice to the vendor and all of the supervisors of elections.*

(4)(a) *If the department determines by a preponderance of the evidence that a defect exists in the voting system, or that a vendor failed to timely disclose a defect pursuant to subsection (2), the department shall provide written notice to the affected vendor and supervisors of elections.*

(b) *A vendor entitled to receive notice pursuant to paragraph (a) shall, within 10 days, file a written response to the department which:*

1. Denies that the alleged defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect, and sets forth the reasons for such denial; or

2. Admits that the defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect.

(c) If the defect has been cured, the vendor shall provide an explanation of how the defect was cured.

(d) If the defect has not been cured, the vendor shall inform the department whether the defect can be cured and shall provide the department with a plan for curing the defect. If the defect can be cured, the department shall establish a timeframe within which to cure the defect.

(5) If after receiving a response from the vendor, the department determines that a defect does not exist or has been cured within the timeframe established by the department, the department shall take no further action.

(6) If the department determines that: a vendor failed to timely disclose a defect; or that a defect exists and a vendor has not filed a written response or has failed to cure within the timeframe established by the department, or if the defect cannot be cured, the department shall impose a civil penalty of \$25,000 for the defect plus an amount equal to the actual costs incurred by the department in conducting the investigation.

(7) If the department finds that a defect existed:

(a) The department may suspend all sales and leases of the voting system and may suspend its use in any county in the state. The department shall provide written notice of the suspension to each affected vendor and supervisor of elections.

(b) If the department determines that a defect no longer exists in a voting system that has been suspended from use pursuant to paragraph (a), the department shall lift the suspension and authorize the sale, lease, and use of the voting system in any election in the state. The department shall provide written notice that the suspension has been lifted to each affected vendor and supervisor of elections.

(c) If the defect cannot be cured, the department may disapprove the voting system for use in elections in the state. The department shall provide written notice to all supervisors of elections that the system is no longer approved. After approval of a system has been withdrawn pursuant to this paragraph, the system may not be sold, leased, or used in elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.

(d) Any vendor against whom a civil penalty was imposed under this section may not submit a voting system for approval by the Department of State in accordance with s. 101.5605 or enter into a contract for sale or lease of a voting system in the state until the civil penalties have been paid and the department provides written confirmation to the supervisors of elections of the payment.

(8) The department shall prepare a written report of any investigation conducted pursuant to this section.

(9) The authority of the department under this section is in addition to, and not exclusive of, any other authority provided by law.

(10) All proceedings under this section are exempt from chapter 120.

Section 9. Subsection (4) of section 101.56075, Florida Statutes, is repealed.

Section 10. Subsections (1) and (2) of section 101.591, Florida Statutes, are amended, and subsection (4) of that section is republished, to read:

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a) A manual ~~The~~ audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b) An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(c) The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1. Completely independent of the primary voting system.
2. Fast enough to produce final audit results within the timeframe prescribed in subsection (4).
3. Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

Section 11. Subsections (1) and (3) and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian; if the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing and signed by the elector. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, *the absence of the voter's signature on the voter's certificate, if applicable*, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)

(c) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. *Except as provided in s. 101.655, the supervisor may not deliver an absentee ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If an absentee ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for delivery of the absentee ballot. The department shall adopt a rule providing for the form of the affidavit.*

Section 12. Subsections (1) through (3) of section 101.64, Florida Statutes, are amended to read:

101.64 Delivery of absentee ballots; envelopes; form.—

(1) The supervisor shall enclose with each absentee ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope, into which the absent elector shall then place the secrecy envelope, which shall be addressed to the supervisor and also bear on the back side a certificate in substantially the following form:

Note: Please Read Instructions Carefully Before
Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, ..., do solemnly swear or affirm that I am a qualified and registered voter of ... County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot.

(Date) _____
(Voter's Signature)

Note: Your Signature Must Be Witnessed by One Witness 18 Years of Age or Older as Provided in the Instruction Sheet.

I swear or affirm that the voter signed this Voter's Certificate in my presence.

(Signature of Witness)

(Printed Name of Witness)

(Date)

...(Address)...

(2) The certificate shall be arranged on the back of the mailing envelope so that the line for the signature of the absent elector is across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature of the voter must cross the seal of the envelope. The absent elector and the attesting witness shall execute the certificate on the envelope. *A candidate may not serve as an attesting witness.*

(3) In lieu of the voter's certificate provided in this section, the supervisor of elections shall provide each person voting absentee under the Uniformed and Overseas Citizens Absentee Voting Act with the standard oath prescribed by the presidential designee *with an appended section in substantially the following form:-*

Witness signature and date:

(Signature of Witness)

(Printed Name of Witness)

(Address)

(Date)

Section 13. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. **VERY IMPORTANT.** In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. **VERY IMPORTANT.** In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

8. **VERY IMPORTANT.** In order for your absentee ballot to be counted, it must include the signature and legible address of an attesting witness 18 years of age or older affixed to the Voter's Certificate. If the signature is illegible, the Voter's Certificate must also include a readable printed name of the attesting witness. A candidate may not serve as an attesting witness.

9. **VERY IMPORTANT.** If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

10. ~~9.~~ Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

11. ~~10.~~ **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 14. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, ~~or~~ permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election,

and shall be provided for no less than 8 6 hours and no more than 12 hours per day at each site during the applicable period. In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 15. Subsection (2) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots.—

(2) Except as provided in s. 101.6952(5), all marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office.

Section 16. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. Except as provided in subsection (4), after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate or on the absentee ballot affidavit as provided in subsection (4) with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if the voter's certificate or absentee ballot affidavit ~~is~~ does not include the signature of the elector, as shown by the registration records or the precinct register, along with the signature and legible address of an attesting witness; however, if the signature of the attesting witness is illegible, the printed name of the attesting witness must clearly

identify the name of the witness or the ballot shall be considered illegal. However, an absentee ballot is ~~shall~~ not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." The absentee ballot affidavit, if applicable, the envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate or the absentee ballot affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or absentee ballot affidavit may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal and provide the specific reason the ballot was rejected ~~because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.~~ The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register. This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) If the canvassing board has not begun the canvassing of absentee ballots pursuant to subsection (2), the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot.

(c) The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

(Voter's Signature)

(Address)

Note: Your Signature Must Be Witnessed by One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Absentee Ballot Affidavit in my presence.

(Signature of Witness)

(Printed Name of Witness)

(Date)

(Address)

(d) Instructions must accompany the absentee ballot affidavit in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before an election.

2. You must sign your name on the line above (Voter's Signature).

3. You must have your signature witnessed by a person 18 years of age or older. Have the witness sign on the line above (Signature of Witness) and include his or her legible address. If the signature is illegible, the affidavit must also include a readable, printed name of the attesting witness. A candidate may not serve as an attesting witness.

4. You must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

5. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope.

6. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 17. Subsections (3) and (4) of section 101.6921, Florida Statutes, are amended to read:

101.6921 Delivery of special absentee ballot to certain first-time voters.—

(3) The Voter's Certificate shall be in substantially the following form:

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, ..., do solemnly swear or affirm that I am a qualified and registered voter of County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot. I understand that unless I meet one of the exemptions below, I must provide a copy of a current and valid identification as provided in the instruction sheet to the supervisor of elections in order for my ballot to count.

I further certify that I am exempt from the requirements to furnish a copy of a current and valid identification with my ballot because of one or more of the following (check all that apply):

- I am 65 years of age or older.
- I have a permanent or temporary physical disability.
- I am a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- I am a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- I am the spouse or dependent of a member of the uniformed service or Merchant Marine who, by reason of the active duty or service of the member, will be absent from the county on election day.
- I am currently residing outside the United States.

(Date) _____
Voter's Signature

Note: Your Signature Must Be Witnessed as Provided in the Instruction Sheet By One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Voter's Certificate in my presence.

(Signature of Witness)

(Printed Name of Witness)

(Date)

(Address)

(4) The certificate shall be arranged on the back of the envelope so that the line for the signature of the absent elector is across the seal of the envelope.

Section 18. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

- a. You must sign your name on the line above (Voter's Signature).
- b. *You must have your signature witnessed by a person 18 years of age or older. Have the witness sign on the line above (Signature of Witness) and include his or her legible address. If the signature is illegible, the Voter's Certificate must also include a readable printed name of the attesting witness. A candidate may not serve as an attesting witness.*
- c. ~~b.~~ If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.
- d. ~~e.~~ An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

- a. You are 65 years of age or older.
- b. You have a temporary or permanent physical disability.
- c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.
- f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 19. Subsection (5) is added to section 101.6952, Florida Statutes, to read:

101.6952 Absentee ballots for absent uniformed services and overseas voters.—

(5) *An absentee ballot from an overseas voter in any presidential preference primary or general election which is postmarked or signed and*

dated no later than the date of the election and is received by the supervisor of elections of the county in which the overseas voter is registered no later than 10 days after the date of the election shall be counted as long as the absentee ballot is otherwise proper.

Section 20. Paragraphs (a) and (b) of subsection (4) of section 102.031, Florida Statutes, are amended, and paragraph (d) is added to that subsection, to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4)(a) No person, political committee, committee of continuous existence, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, a ~~or~~ polling room where the polling place is also a polling room, an ~~or~~ early voting site, or an office of the supervisor of elections where absentee ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

(b) For the purpose of this subsection, the terms “solicit” or “solicitation” shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; and selling or attempting to sell any item. The terms “solicit” or “solicitation” ~~may shall~~ not be construed to prohibit exit polling.

(d) *Except as provided in paragraph (a), the supervisor may not designate a no-solicitation zone or otherwise restrict access to any person, political committee, committee of continuous existence, candidate, or other group or organization for the purposes of soliciting voters. This paragraph applies to any public or private property used as a polling place or early voting site.*

Section 21. Subsections (1) and (4) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(1) The county canvassing board shall be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners. *Alternate canvassing board members must be appointed pursuant to paragraph (e).* In the event any member of the county canvassing board is unable to serve, is a candidate who has opposition in the election being canvassed, or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, such member shall be replaced as follows:

(a) If no county court judge is able to serve or if all are disqualified, the chief judge of the judicial circuit in which the county is located shall appoint as a substitute member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. In such event, the members of the county canvassing board shall meet and elect a chair.

(b) If the supervisor of elections is unable to serve or is disqualified, the chair of the board of county commissioners shall appoint as a substitute member a member of the board of county commissioners who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. The supervisor, however, shall act in an advisory capacity to the canvassing board.

(c) If the chair of the board of county commissioners is unable to serve or is disqualified, the board of county commissioners shall appoint as a substitute member one of its members who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(d) If a substitute member or *alternate member* cannot be appointed as provided elsewhere in this subsection, or *in the event of a vacancy in such office*, the chief judge of the judicial circuit in which the county is

located shall appoint as a substitute member or *alternate member* a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(e)1. The chief judge of the judicial circuit in which the county is located shall appoint a county court judge as an alternate member of the county canvassing board or, if each county court judge is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (a).

2. *The chair of the board of county commissioners shall appoint a member of the board of county commissioners as an alternate member of the county canvassing board or, if each member of the board of county commissioners is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (d).*

3. *If a member of the county canvassing board is unable to participate in a meeting of the board, the chair of the county canvassing board or his or her designee shall designate which alternate member will serve as a member of the board in the place of the member who is unable to participate at that meeting.*

4. *If not serving as one of the three members of the county canvassing board, an alternate member may be present, observe, and communicate with the three members constituting the county canvassing board, but may not vote in the board's decisions or determinations.*

(4)(a) The supervisor of elections shall upload into the county's election management system by 7 p.m. on the day before the election the results of all early voting and absentee ballots that have been canvassed and tabulated by the end of the early voting period. Pursuant to ss. 101.5614(9), 101.657, and 101.68(2), the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on election day.

(b) The canvassing board shall report all early voting and all tabulated absentee results to the Department of State within 30 minutes after the polls close. Thereafter, the canvassing board shall report, with the exception of provisional ballot results, updated precinct election results to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results shall be submitted in a format prescribed by the department.

Section 22. Effective January 1, 2014, section 104.0616, Florida Statutes, is amended to read:

104.0616 Absentee ballots and voting; violations.—

(1) For purposes of this section, the term “immediate family” means a person's spouse or the parent, child, grandparent, or sibling of the person or the person's spouse.

(2) Any person who provides or offers to provide, and any person who accepts, a pecuniary or other benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, with intent to alter, change, modify, or erase any vote on the absentee ballot, except as provided in ss. 101.6105-101.695, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 23. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s.

100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.051, F.S.; revising restrictions relating to electors requiring assistance in casting ballots; prohibiting an individual from providing assistance to more than 10 electors during any election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing effective dates.

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1A (623538) (with title amendment)—Delete lines 19-85 and insert:

Section 2. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.

Section 3. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 10 ~~12~~ weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

And the title is amended as follows:

Delete lines 1161-1175 and insert: registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation

Senator Clemens moved the following amendment to **Amendment 1** which failed:

Amendment 1B (645956)—Delete line 102 and insert: *priority, may not exceed 75 words in length and additional ballot summaries may not exceed 150 words in length.*

Senator Clemens moved the following amendment to **Amendment 1** which was adopted:

Amendment 1C (588654) (with title amendment)—Delete lines 328-329 and insert:

Section 9. Section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(1) Except as provided in subsection (2), all voting shall be by marksense ballot utilizing a marking device for the purpose of designating ballot selections.

(2) Persons with disabilities may vote on a voter interface device that meets the voting system accessibility requirements for individuals with disabilities pursuant to s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

(3) By 2020 ~~2016~~, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

~~(4) By December 31, 2013, all voting systems utilized by voters during a state election shall permit placement on the ballot of the full text of a constitutional amendment or revision containing stricken or underlined text.~~

And the title is amended as follows:

Delete lines 1202-1203 and insert: investigations; providing a penalty; amending s. 101.56075, F.S.; revising the date that persons with disabilities must vote with voter interface devices; removing the requirement that

Senator Gibson moved the following amendment to **Amendment 1** which failed:

Amendment 1D (581216) (with directory and title amendments)—Delete lines 375-409.

And the directory clause is amended as follows:

Delete line 371 and insert:

Section 11. Subsection (3) and paragraph (c) of

And the title is amended as follows:

Delete lines 1211-1212 and insert: adopt rules; amending s. 101.62, F.S.;

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (485382)—Delete lines 385-393 and insert:

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian; *if the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing and signed by the elector. However, an absent uniformed service voter or an overseas voter seeking an absentee ballot is not required to submit a signed, written request for an absentee ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System.* For purposes of this section, the term

Senator Clemens moved the following amendment to **Amendment 1** which failed:

Amendment 1F (162906)—Delete lines 444-446 and insert: 3. By personal delivery at any supervisor of elections office ~~before 7 p.m. on election day~~ to the elector, upon presentation of the identification required in s. 101.043, beginning on the 28th day before an election through 7 p.m. on election day.

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

Amendment 1G (498932) (with title amendment)—Delete lines 478-1002 and insert:

Section 12. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. VERY IMPORTANT. In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

8. VERY IMPORTANT. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 13. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, ~~or~~ permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election.* The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 8 ½ hours and no more than 12 hours per day at each site during the applicable period. *In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day.* The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 14. Subsection (2) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots.—

(2) *Except as provided in s. 101.6952(5),* all marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office.

Section 15. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. *Except as provided in subsection (4)*, after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate or on the absentee ballot affidavit as provided in subsection (4) with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if the voter's certificate or absentee ballot affidavit ~~is~~ does not include the signature of the elector, as shown by the registration records or the precinct register. However, an absentee ballot ~~is~~ shall not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." *The absentee ballot affidavit, if applicable, the envelope, and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.*

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate or the absentee ballot affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or absentee ballot affidavit may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used,

the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal and provide the specific reason the ballot was rejected ~~because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.~~ The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register. This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) *Until 5 p.m. on the 2nd day before an election, the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot.*

(c) *The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:*

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of ... County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

(Voter's Signature)

(Address)

(d) *Instructions must accompany the absentee ballot affidavit in substantially the following form:*

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. *In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 5 p.m. on the 2nd day before the election.*

2. *You must sign your name on the line above (Voter's Signature).*

3. *You must make a copy of one of the following forms of identification:*

a. *Identification that includes your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or*

b. *Identification that shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).*

4. *Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.*

5. *Alternatively, you may fax or e-mail your completed affidavit and a copy of your identification to the supervisor of elections. If e-mailing, please provide these documents as attachments.*

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address, e-mail address, and fax number on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses, e-mail addresses, and fax numbers of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 16. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or signed and dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

- a. You must sign your name on the line above (Voter's Signature).
- b. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.
- c. An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

- a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or
- b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

- a. You are 65 years of age or older.
- b. You have a temporary or permanent physical disability.
- c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
- d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
- e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.
- f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

And the title is amended as follows:

Delete lines 1219-1251 and insert: affidavit under certain circumstances; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites for a general election as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot before a specified time; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s.

Senator Braynon moved the following amendment to **Amendment 1** which failed:

Amendment 1H (149418)—Delete lines 613-620 and insert: designate any suitable location as an early voting site ~~any city hall or permanent public library facility as early voting sites~~; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *In addition, a supervisor may designate one early*

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1I (290338) (with title amendment)—Delete line 628 and insert: *general election. Each county shall operate at least one early voting site for each complete set of 50,000 registered voters in the county as of July 1 of each general election year.* The results or tabulation of votes cast during

And the title is amended as follows:

Delete line 1229 and insert: providing requirements for determining the number of early voting sites each county must operate; revising the number of days and hours for early

Senators Smith, Joyner, Braynon, Gibson, Bullard, and Thompson offered the following amendment to **Amendment 1** which was moved by Senator Smith and failed:

Amendment 1J (359560)—Delete lines 631-639 and insert:

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 2nd ~~3rd~~ day before the election, and shall be provided for no less than ~~6 hours and no more than~~ 12 hours per day at each site during the applicable period. *In addition, early voting may be offered, at the discretion of the supervisor of elections, on the 15th, 14th, 13th, 12th, and 11th days before an election that contains state or federal races. On the 2nd day before an election that contains state or federal races, the supervisor must provide early voting in the main office of the supervisor and any branch offices. The opening of additional early voting sites on the 2nd day before an election is at the discretion of the supervisor.* The supervisor of elections

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1K (716576) (with title amendment)—Delete line 639 and insert: *but not more than 12 hours per day. Counties must have one additional day of early voting for every 50,000 registered voters beyond the first 400,000 registered voters in the county as of July 1 of each general election year. For counties that require at least one additional day of early voting, the first additional day must be the 2nd day before the election. Further additional days will be at the supervisor's discretion, but must be on the 15th, 14th, 13th, 12th, or 11th day before an election.* The supervisor of elections

And the title is amended as follows:

Delete line 1230 and insert: voting; providing requirements for determining the number of early voting days each county must provide; amending s. 101.67, F.S.; conforming a

Senator Joyner moved the following amendment to **Amendment 1** which failed:

Amendment 1L (317820) (with title amendment)—Delete line 763 and insert: *affidavit in order to cure the unsigned absentee ballot. A supervisor who receives an absentee ballot that does not include the elector's signature must notify the elector of that fact along with the procedure for curing such deficiency within 48 hours of receipt.*

And the title is amended as follows:

Delete line 1243 and insert: to canvassing; requiring the supervisor to notify the elector of the missing signature within 48 hours of receipt; providing the form and contents of the

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1M (734632) (with title amendment)—Delete lines 1135-1152 and insert:

Section 22. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete lines 1264-1268 and insert: election day; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Clemens moved the following amendment to **Amendment 1** which was adopted:

Amendment 1N (870950) (with title amendment)—Delete lines 40-50 and insert:

Section 3. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the county commission of the county in which he or she serves at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place. Each supervisor of elections shall also post such report on the supervisor of elections' official website.

And the title is amended as follows:

Delete lines 1166-1168 and insert: each supervisor of elections to submit a report to his or her county commission at least 3 months before a general election; specifying the content of the report; requiring that such report be posted on the supervisor's website;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Joyner moved the following amendment to **Amendment 1** which was adopted:

Amendment 1O (977492) (with title amendment)—Between lines 61 and 62 insert:

Section 5. Paragraphs (a) and (b) of subsection (2) of section 101.045, Florida Statutes, are amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(2)(a) An elector who moves from the precinct in which the elector is registered may ~~be permitted to~~ vote in the precinct to which he or she has moved his or her legal residence, if the change of residence is within the same county or the precinct to which the elector has moved his or her legal residence is within a county that uses an electronic database as a precinct register at the polling place, and the elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, (Name of voter), swear (or affirm) that the former address of my legal residence was (Address of legal residence) in the municipality of ..., in ... County, Florida, and I was registered to vote in the ... precinct of ... County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at (Address of legal residence) in the Municipality of ..., in ... County, Florida, and am therefore eligible to vote in the ... precinct of ... County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose address of legal residence has changed)

(b) Except for an active uniformed services voter or a member of his or her family *and except for an elector who has moved his or her legal residence to a precinct within a county that uses an electronic database as a precinct register at the polling place*, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and *must vote a provisional regular ballot; however, such elector is entitled to vote a provisional ballot.*

And the title is amended as follows:

Delete line 1171 and insert: amending s. 101.045, F.S.; authorizing an elector to vote at the polling place in the precinct to which he or she has moved if such county uses an electronic database as a precinct register; amending s. 101.051, F.S.; revising restrictions

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

Amendment 1P (672270) (with title amendment)—Delete lines 5-50 and insert:

Section 1. Subsection (17) is added to section 97.012, Florida Statutes, to read:

97.012 Secretary of State as chief election officer.—The Secretary of State is the chief election officer of the state, and it is his or her responsibility to:

(17) When warranted, place a supervisor of elections in noncompliant status pursuant to s. 98.025.

Section 2. Section 97.0555, Florida Statutes, is amended to read:

97.0555 Late registration.—An individual or accompanying family member who has been discharged or separated from the uniformed services or the *United States Merchant Marine, has returned from a combat zone or forward-deployed area, or has separated from employment outside the territorial limits of the United States, after the book-closing date for an election pursuant to s. 97.055 and who is otherwise qualified may register to vote in such election until 5 p.m. on the Friday before that election in the office of the supervisor of elections. Such persons must produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.*

Section 3. Subsection (3) of section 97.061, Florida Statutes, is amended to read:

97.061 Special registration for electors requiring assistance.—

(3) The precinct register generated by the supervisor shall contain a notation that such person is eligible for assistance in voting, and the supervisor may make a notation on the voter information card that such person is eligible for assistance in voting. Such person shall be entitled to receive the assistance of two election officials or some other person of his or her own choice, other than the person’s employer, *an the agent of the person’s employer, or an officer or agent of the person’s union, without the necessity of executing the “Declaration to Secure Assistance” prescribed in s. 101.051, so long as the person is known to the elector before election day.* Such person shall notify the supervisor of any change in his or her condition which makes it unnecessary for him or her to receive assistance in voting. *An individual may not provide assistance to more than 10 electors during any election.*

Section 4. Section 98.025, Florida Statutes, is created to read:

98.025 Supervisors of elections; noncompliant status.—

(1) *The Secretary of State may place a supervisor of elections in noncompliant status whenever that supervisor does not perform one or more of the following:*

- (a) *Timely file any report required by the Florida Election Code.*
- (b) *Ensure that ballots are distributed, collected, counted, and reported in accordance with applicable law.*
- (c) *Safeguard and account for voted ballots.*
- (d) *Follow any statute that imposes a duty or responsibility on a supervisor of elections.*
- (e) *Follow rules adopted by the Department of State concerning the implementation of any provision of the Florida Election Code.*

(2) *The Secretary of State shall submit the written decision to place or remove a supervisor of elections in noncompliant status to the affected supervisor and provide a copy of the decision to the Governor and the chair of the board of county commissioners in the supervisor’s county.*

(3) *While a supervisor of elections is in noncompliant status, the supervisor is not entitled to receive the special qualification salary available pursuant to s. 145.09. When removed from noncompliant status, if otherwise eligible to receive the special qualification salary, the supervisor is entitled to a pro rata share of the special qualification salary based on the remaining period of the year.*

(4) *The Secretary of State may remove a supervisor from non-compliant status after 1 year of being placed in such status, provided that:*

(a) *The supervisor has complied with any of the duties identified in subsection (1) while in a noncompliant status;*

(b) *The supervisor has completed during each year while in non-compliant status a course of continuing education pursuant to s. 145.09 as prescribed by the Division of Elections; and*

(c) *The supervisor has taken and received while in noncompliant status a grade of 90 percent or greater on a uniform statewide open-book examination testing the supervisor’s knowledge of the Florida Election Code. The Florida State Association of Supervisors of Elections shall annually develop the examination, but the examination shall be approved and administered by the Division of Elections.*

(5) *If a supervisor has been in noncompliant status for 3 consecutive years, the Secretary of State shall provide written notice of such event to the Governor for consideration of exercising the Governor’s authority to suspend the supervisor pursuant to s. 7, Art. IV of the State Constitution.*

(6) *The decision of the Secretary of State to place a supervisor of elections in noncompliant status or remove a supervisor of elections from noncompliant status is exempt from the provisions of chapter 120.*

(7) *This section is in addition to, and not exclusive of, the authority of the Governor to suspend and remove a supervisor of elections pursuant to s. 7, Art. IV of the State Constitution.*

And the title is amended as follows:

Delete lines 1159-1168 and insert: An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.0555, F.S.; revising qualifications for late voter registration; amending s. 97.061, F.S.; revising restrictions relating to electors requiring assistance; prohibiting an individual from providing assistance to more than 10 electors during any election; creating s. 98.025, F.S.; authorizing the Secretary of State to place a supervisor of elections in noncompliant status under specified conditions; requiring the secretary to submit a written decision of placing or removing a supervisor in noncompliant status with specified persons; providing that a supervisor in noncompliant status is not entitled to receive the special qualification salary; providing requirements to remove a supervisor from noncompliant status; requiring the secretary to provide written notice to the Governor if a supervisor has been in noncompliant status for 3 consecutive years;

The vote was:

Yeas—22

Altman	Evers	Latvala
Bean	Flores	Lee
Benacquisto	Galvano	Margolis
Bradley	Garcia	Richter
Brandes	Gardiner	Simmons
Dean	Grimsley	Stargel
Detert	Hays	
Diaz de la Portilla	Hukill	

Nays—18

Mr. President	Joyner	Simpson
Abruzzo	Legg	Smith
Braynon	Montford	Sobel
Bullard	Negron	Soto
Clemens	Ring	Thompson
Gibson	Sachs	Thrasher

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Sobel moved the following amendment to **Amendment 1** which failed:

Amendment 1Q (770440) (with title amendment)—Between lines 1150 and 1151 insert:

(3) *The restrictions in subsection (2) do not prohibit an administrator of a nursing home, assisted living facility, adult family-care home, or any other similar residential adult care facility from distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots of residents of the facility per election.*

And the title is amended as follows:

Delete line 1267 and insert: ballots under certain circumstances; providing an exception; providing

On motion by Senator Latvala, further consideration of **CS for HB 7013** with pending **Amendment 1 (301346)** as amended was deferred.

On motion by Senator Detert, by unanimous consent—

CS for SB 300—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (587204)—Before line 11 insert:

Section 1. *Larcenia Bullard Way designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 992/Coral Reef Drive/S.W. 152nd Street between S.R. 5/U.S. 1/South Dixie Highway and 137th Avenue in Miami-Dade County is designated as “Larcenia Bullard Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Larcenia Bullard Way as described in subsection (1).*

Senator Joyner moved the following amendment which was adopted:

Amendment 2 (698454) (with title amendment)—Between lines 262 and 263 insert:

Section 31. *The Department of Transportation may permit the erection by a private entity of a suitable marker in the wayside park on the north end of the Sunshine Skyway Bridge in memory of those who died on May 9, 1980, when the MV Summit Venture collided with the bridge. The type of marker and its location shall be subject to the approval of the department. The private entity shall be responsible for all costs of the marker and its installation. The private entity shall also provide an annual renewable bond, an irrevocable letter of credit, or another form of security as approved by the department’s comptroller, for the purpose of securing the cost of removal of the monument and any modifications made to the site as part of the placement of the monument should the department determine it necessary to remove or relocate the monument.*

And the title is amended as follows:

Delete line 6 and insert: to erect suitable markers; authorizing the department to permit the installation of a specified marker under certain conditions; providing an effective

Senator Altman moved the following amendment which was adopted:

Amendment 3 (878666)—Between lines 262 and 263 insert:

Section 31. *Dr. Martin Luther King, Jr., Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 501/Clearlake Road between S.R. 520 and S.R. 524 in Brevard County is designated as “Dr. Martin Luther King, Jr., Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Dr. Martin Luther King, Jr., Memorial Highway as described in subsection (1).*

Senator Detert moved the following amendment which was adopted:

Amendment 4 (594092)—Between lines 262 and 263 insert:

Section 31. *Arthur & Polly Mays Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1/S.R. 5/S. Dixie Highway between S.W. 220th Street/Old Cutler Road and S.W. 216th Street/Hainlin Mill Drive in Miami-Dade County is designated as “Arthur & Polly Mays Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Arthur & Polly Mays Memorial Highway as described in subsection (1).*

Section 32. *Lourdes Guzman-DeJesus Street designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1/S.R. 5/S. Dixie Highway between S.W. 296th Street/Avocado Drive and S.W. 288th Street/Biscayne Drive in Miami-Dade County is designated as “Lourdes Guzman-DeJesus Street.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Lourdes Guzman-DeJesus Street as described in subsection (1).*

Section 33. *Fred Karl Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of S.R. 40 between the City of Ormond Beach and the Lake County line in Volusia County is designated as “Fred Karl Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Fred Karl Memorial Highway as described in subsection (1).*

On motion by Senator Detert, by two-thirds vote **CS for SB 300** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

MOTIONS

On motion by Senator Thrasher, the rules were waived and time of adjournment was extended until 12:30 p.m.

On motion by Senator Latvala, the Senate resumed consideration of—

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor

of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (301346)** as amended, by Senator Latvala, was adopted.

Senators Smith, Sachs, Braynon, Soto, Montford, Joyner, Ring, Margolis, Abruzzo, Bullard, Thompson, Clemens, Gibson, and Sobel offered the following amendment which was moved by Senator Smith and failed:

Amendment 2 (757918) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (2) of section 97.041, Florida Statutes, are amended to read:

97.041 Qualifications to register or vote.—

(1)(a) A person may become a registered voter only if that person:

1. Is at least 18 years of age;
2. Is a citizen of the United States;
3. Is a legal resident of the State of Florida;
4. Is a legal resident of the county in which that person seeks to be registered; and
5. Registers pursuant to the Florida Election Code.

(b) A person who is otherwise qualified may preregister on or after that person's 16th birthday and may vote in any election occurring on or after that person's 18th birthday.

(c) *A person who has been convicted of a felony by any court of record and has served his or her sentence may preregister to vote and may vote in any election after his or her right to vote has been restored.*

~~(2) The following persons, who might be otherwise qualified, are not entitled to register or vote:~~

~~(a) A person who has been adjudicated mentally incapacitated with respect to voting in this or any other state and who has not had his or her right to vote restored pursuant to law is not entitled to register to vote.~~

~~(b) A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored pursuant to law.~~

Section 2. Subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

- (a) Last, first, and middle name, including any suffix.
- (b) Date of birth.
- (c) Address of legal residence.
- (d) Mailing address, if different.
- (e) County of legal residence.
- (f) Race or ethnicity that best describes the applicant:
 1. American Indian or Alaskan Native.

2. Asian or Pacific Islander.
3. Black, not Hispanic.
4. White, not Hispanic.
5. Hispanic.

(g) State or country of birth.

(h) Sex.

(i) Party affiliation.

(j) Whether the applicant needs assistance in voting.

(k) Name and address where last registered.

(l) Last four digits of the applicant's social security number.

(m) Florida ~~driver~~ driver's license number or the identification number from a Florida identification card issued under s. 322.051.

(n) An indication, if applicable, that the applicant has not been issued a Florida ~~driver~~ driver's license, a Florida identification card, or a social security number.

(o) Telephone number (optional).

(p) Signature of applicant under penalty for false swearing pursuant to s. 104.011, by which the person subscribes to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051, and swears or affirms that the information contained in the registration application is true.

(q) Whether the application is being used for initial registration, to update a voter registration record, or to request a replacement voter information card.

(r) Whether the applicant is a citizen of the United States by asking the question "Are you a citizen of the United States of America?" and providing boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.

(s) Whether the applicant has been convicted of a felony, and, if convicted, has ~~completed his or her sentence had his or her civil rights restored~~ by including the statement "I affirm I am not a convicted felon, or, if I am, I have completed my sentence ~~my rights relating to voting have been restored.~~" and providing a box for the applicant to check to affirm the statement.

(t) Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored by including the statement "I affirm I have not been adjudicated mentally incapacitated with respect to voting, or, if I have, my competency has been restored." and providing a box for the applicant to check to affirm the statement.

The registration application must be in plain language and designed so that convicted felons whose civil rights have been restored and persons who have been adjudicated mentally incapacitated and have had their voting rights restored are not required to reveal their prior conviction or adjudication. *In addition, the registration application must indicate that a convicted felon who has completed his or her sentence is entitled to preregister to vote and may vote in any election after his or her right to vote has been restored.*

Section 3. Paragraph (a) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.
2. The applicant's legal residence address.
3. The applicant's date of birth.

4. A mark in the checkbox affirming that the applicant is a citizen of the United States.

5.a. The applicant's current and valid Florida ~~driver~~ driver's license number or the identification number from a Florida identification card issued under s. 322.051, or

b. If the applicant has not been issued a current and valid Florida ~~driver~~ driver's license or a Florida identification card, the last four digits of the applicant's social security number.

In case an applicant has not been issued a current and valid Florida ~~driver~~ driver's license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.

6. A mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, ~~has completed his or her sentence~~ has had his or her civil rights restored.

7. A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.

8. The original signature or a digital signature transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.

Section 4. Section 97.055, Florida Statutes, is amended to read:

97.055 Registration books; when closed for an election.—

(1)(a) The registration books must be closed on the 5th ~~20th~~ day before each election and must remain closed until after that election. If an election is called and there are fewer than 5 ~~29~~ days before that election, the registration books must be closed immediately.

(b) Except as provided in paragraph (c), when the registration books are closed for an election, updates to a voter's name, address, and signature pursuant to ss. 98.077 and 101.045 shall be the only changes permitted for purposes of the upcoming election. New voter registration applications must be accepted but only for the purpose of subsequent elections.

(c) When the registration books are closed for an upcoming election, an update or change to a voter's party affiliation made pursuant to s. 97.1031 shall be permitted for that upcoming election unless such election is for the purpose of nominating a political party nominee, in which case the update or change shall be permitted only for the purpose of subsequent elections.

(2) In computing the 5-day ~~29-day~~ period for the closing of the registration books, the day of the election is excluded and all other days are included. If the 5th ~~29th~~ day preceding an election falls on a Sunday or a legal holiday, the registration books must be closed on the next day that is not a Sunday or a legal holiday.

Section 5. Subsection (1) and paragraph (a) of subsection (2) of section 98.045, Florida Statutes, are amended to read:

98.045 Administration of voter registration.—

(1) ELIGIBILITY OF APPLICANT.—The supervisor must ensure that any eligible applicant for voter registration is registered to vote and that each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following:

(a) The failure to complete a voter registration application as specified in s. 97.053.

(b) The applicant is deceased.

~~(c) The applicant has been convicted of a felony for which his or her civil rights have not been restored.~~

~~(c)(d)~~ The applicant has been adjudicated mentally incapacitated with respect to the right to vote and such right has not been restored.

~~(d)(e)~~ The applicant does not meet the age requirement pursuant to s. 97.041.

~~(e)(f)~~ The applicant is not a United States citizen.

~~(f)(g)~~ The applicant is a fictitious person.

~~(g)(h)~~ The applicant has provided an address of legal residence that is not his or her legal residence.

~~(h)(i)~~ The applicant has provided a ~~driver~~ driver's license number, Florida identification card number, or the last four digits of a social security number that is not verifiable by the department.

(2) REMOVAL OF REGISTERED VOTERS.—

(a) Once a voter is registered, the name of that voter may not be removed from the statewide voter registration system except at the written request of the voter, by reason of the voter's conviction of a felony or adjudication as mentally incapacitated with respect to voting, by death of the voter, or pursuant to a registration list maintenance activity conducted pursuant to s. 98.065 or s. 98.075. *However, a convicted felon who has served his or her sentence and has preregistered pursuant to s. 97.041(1)(c) may not be removed from the statewide voter registration system.*

Section 6. Subsections (5) and (6) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(5) FELONY CONVICTION.—The department shall identify those registered voters who have been convicted of a felony and whose rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney's Office, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation ~~indicating the potential ineligibility of the voter to be registered.~~ Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the removal of a registered voter's name from the statewide voter registration system.

(6) OTHER BASES FOR INELIGIBILITY.—If the department or supervisor receives information from sources other than those identified in subsections (2)-(5) that a registered voter is ineligible because he or she is deceased, ~~adjudicated a convicted felon without having had his or her civil rights restored,~~ adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen, is a fictitious person, or has listed a residence that is not his or her legal residence, the supervisor must adhere to the procedures set forth in subsection (7) ~~before~~ prior to the removal of a registered voter's name from the statewide voter registration system. *However, a convicted felon who has served his or her sentence and has preregistered pursuant to s. 97.041(1)(c) may not be removed from the statewide voter registration system.*

Section 7. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—*Each supervisor of elections must submit a report to the Secretary of State at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day, and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.*

Section 8. Section 101.045, Florida Statutes, is amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(1) A person may is not permitted to vote in any election precinct or district other than the one in which the person has his or her legal residence and in which the person is registered. However, a person temporarily residing outside the county must shall be registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located if when the person has no permanent address in the county and if it is the person's intention to remain a resident of this state Florida and of the county in which he or she is registered to vote. Such persons who are registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located and who are residing outside the county with no permanent address in the county are shall not be registered electors of a municipality and therefore may not shall not be permitted to vote in any municipal election.

(2)(a) An elector who moves from the precinct in which the elector is registered may be permitted to vote in the precinct to which he or she has moved his or her legal residence; if the change of residence is within the same county and the elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, (Name of voter), swear (or affirm) that the former address of my legal residence was (Address of legal residence) in the municipality of ..., in ... County, Florida, and I was registered to vote in the ... precinct of ... County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at (Address of legal residence) in the Municipality of ..., in ... County, Florida, and am therefore eligible to vote in the ... precinct of ... County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose address of legal residence has changed)

(b) Except for an active uniformed services voter or a member of his or her family, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and vote a regular ballot; however, such elector is entitled to vote a provisional ballot.

(b)(e) An elector whose name changes because of marriage or other legal process may be permitted to vote if the elector, provided such elector completes an affirmation in substantially the following form:

Change of Name of Registered Voter

Under penalties for false swearing, I, (New name of voter), swear (or affirm) that my name has been changed because of marriage or other legal process. My former name and address of legal residence appear on the registration records of precinct ... as follows:

Name
Address
Municipality
County
Florida, Zip
My present name and address of legal residence are as follows:
Name
Address
Municipality
County
Florida, Zip

and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose name has changed)

(c)(d) Instead of the affirmation contained in paragraph (a) or paragraph (b) (e), an elector may complete a voter registration application that indicates the change of name or change of address of legal residence.

(d)(e) Such affirmation or application, when completed and presented at the precinct in which such elector is entitled to vote, and upon verification of the elector's registration, entitles shall entitle such elector to vote as provided in this subsection. If the elector's eligibility to vote cannot be determined, he or she is shall be entitled to vote a provisional ballot, subject to the requirements and procedures in s. 101.048. Upon receipt of an affirmation or application certifying a change in address of legal residence or name, the supervisor shall as soon as practicable make the necessary changes in the statewide voter registration system as soon as practicable to indicate the change in address of legal residence or name of such elector.

Section 9. Subsection (3) of section 101.161, Florida Statutes, is amended to read:

101.161 Referenda; ballots.—

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision. If a joint resolution that proposes a constitutional amendment or revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, no ballot summary may exceed 75 words in length.

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.

(c)(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. The revised ballot summary may not exceed 75 words in length. The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.

Section 10. Subsection (3) of section 101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—

(3)(a) *Before the Department of State approves the electronic or electromechanical voting system, the person who submitted it for examination shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(b) *Before entering into a contract for the sale or lease of a voting system approved under this section to any county, the person entering into such contract shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(c) *The department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the department at the time of delivery or attempted delivery is valid for all notice purposes.*

(d) *Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the department shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the department may ~~shall~~ not be adopted for or used at any election.*

(e)(b) *After a voting system has been approved by the Department of State, any change or improvement in the system is required to be approved by the department prior to the adoption of such change or improvement by any county. If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.*

Section 11. Section 101.56065, Florida Statutes, is created to read:

101.56065 *Voting system defects; disclosure; investigations; penalties.—*

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

(a) *“Defect” means:*

1. *Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in non-conformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots; or*

2. *Any failure or inability of the voting system manufacturer or vendor to make available or provide approved replacements of hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system's nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots.*

(b) *“Standards” refers to the requirements in ss. 101.5606 and 101.56062 under which a voting system was approved for use in the state.*

(c) *“Vendor” means a person who submits or previously submitted a voting system that was approved by the Department of State in accordance with s. 101.5605, or a person who enters into a contract for the sale or lease of a voting system to any county, or that previously entered into such a contract that has not expired.*

(2)(a) *No later than December 31, 2013, and, thereafter, on January 1 of every odd-numbered year, each vendor shall file a written disclosure with the department identifying any known defect in the voting system or the fact that there is no known defect, the effect of any defect on the operation and use of the approved voting system, and any known corrective measures to cure a defect, including, but not limited to, advisories and bulletins issued to system users.*

(b) *Implementation of corrective measures approved by the department which enable a system to conform to the standards and ensure the*

timeliness and accuracy of the casting and counting of ballots constitutes a cure of a defect.

(c) *If a vendor becomes aware of the existence of a defect, he or she must file a new disclosure with the department as provided in paragraph (a) within 30 days after the date the vendor determined or reasonably should have determined that the defect existed.*

(d) *If a vendor discloses to the department that a defect exists, the department may suspend all sales or leases of the voting system in the state and may suspend the use of the system in any election in the state. The department shall provide written notice of any such suspension to each affected vendor and supervisor of elections. If the department determines that the defect no longer exists, the department shall lift the suspension and provide written notice to each affected vendor and supervisor of elections.*

(e) *If a vendor fails to file a required disclosure for a voting system previously approved by the department, that system may not be sold, leased, or used for elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605. The department shall provide written notice to all supervisors of elections that the system is no longer approved.*

(3)(a) *If the department has reasonable cause to believe a voting system approved pursuant to s. 101.5605 contains a defect either before, during, or after an election which has not been disclosed pursuant to subsection (2), the department may investigate whether the voting system has a defect.*

(b) *The department may initiate an investigation pursuant to paragraph (a) on its own initiative or upon the written request of the supervisor of elections of a county that purchased or leased a voting system that contains the alleged defect.*

(c) *Upon initiating an investigation, the department shall provide written notice to the vendor and all of the supervisors of elections.*

(4)(a) *If the department determines by a preponderance of the evidence that a defect exists in the voting system, or that a vendor failed to timely disclose a defect pursuant to subsection (2), the department shall provide written notice to the affected vendor and supervisors of elections.*

(b) *A vendor entitled to receive notice pursuant to paragraph (a) shall, within 10 days, file a written response to the department which:*

1. *Denies that the alleged defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect, and sets forth the reasons for such denial; or*

2. *Admits that the defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect.*

(c) *If the defect has been cured, the vendor shall provide an explanation of how the defect was cured.*

(d) *If the defect has not been cured, the vendor shall inform the department whether the defect can be cured and shall provide the department with a plan for curing the defect. If the defect can be cured, the department shall establish a timeframe within which to cure the defect.*

(5) *If after receiving a response from the vendor, the department determines that a defect does not exist or has been cured within the timeframe established by the department, the department shall take no further action.*

(6) *If the department determines that a vendor failed to timely disclose a defect, that a defect exists and a vendor has not filed a written response or has failed to cure within the timeframe established by the department, or that the defect cannot be cured, the department shall impose a civil penalty of \$25,000 for the defect plus an amount equal to the actual costs incurred by the department in conducting the investigation.*

(7) *If the department finds that a defect existed:*

(a) *The department may suspend all sales and leases of the voting system and may suspend its use in any county in the state. The department shall provide written notice of the suspension to each affected vendor and supervisor of elections.*

(b) If the department determines that a defect no longer exists in a voting system that has been suspended from use pursuant to paragraph (a), the department shall lift the suspension and authorize the sale, lease, and use of the voting system in any election in the state. The department shall provide written notice that the suspension has been lifted to each affected vendor and supervisor of elections.

(c) If the defect cannot be cured, the department may disapprove the voting system for use in elections in the state. The department shall provide written notice to all supervisors of elections that the system is no longer approved. After approval of a system has been withdrawn pursuant to this paragraph, the system may not be sold, leased, or used in elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.

(d) Any vendor against whom a civil penalty was imposed under this section may not submit a voting system for approval by the Department of State in accordance with s. 101.5605 or enter into a contract for sale or lease of a voting system in the state until the civil penalties have been paid and the department provides written confirmation to the supervisors of elections of the payment.

(8) The department shall prepare a written report of any investigation conducted pursuant to this section.

(9) The authority of the department under this section is in addition to, and not exclusive of, any other authority provided by law.

(10) All proceedings under this section are exempt from chapter 120.

Section 12. Subsection (4) of section 101.56075, Florida Statutes, is repealed.

Section 13. Subsections (1) and (2) of section 101.591, Florida Statutes, are amended, and subsection (4) of that section is republished, to read:

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a) A manual The audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b) An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(c) The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1. Completely independent of the primary voting system.
2. Fast enough to produce final audit results within the timeframe prescribed in subsection (4).
3. Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

Section 14. Subsections (1) and (3) and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, the absence of the voter's signature on the voter's certificate, if applicable, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)

(c) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.
2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery *at any supervisor of elections office before 7 p.m. on election day* to the elector, upon presentation of the identification required in s. 101.043, *beginning on the 28th day before an election through 7 p.m. on election day.*

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

Section 15. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any *suitable location as an early voting site* ~~city hall or permanent public library facility as early voting sites~~; however, if so designated, *such* the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election and at least one early voting site for each complete set of 50,000 registered voters in the county as of July 1 of each general election year.* The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the *15th 10th* day before an election that contains state or federal races and end on the *2nd 3rd* day before the election, and shall be provided for no less than *6 hours and no more than 12 hours* per day at each site during the applicable period. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 16. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

101.68 Canvassing of absentee ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books *or the precinct register* to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. *Except as provided in subsection (4),* after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate *or on the absentee ballot affidavit as provided in subsection (4)* with the signature of the elector in the registration books *or precinct register* to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if *the voter's certificate or absentee ballot affidavit* ~~it~~ does not include the signature of the elector, as shown by the registration records. However, an absentee ballot *is shall not be* considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." *The absentee ballot affidavit, if applicable,* the envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate *or the absentee ballot affidavit*, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate *or absentee ballot affidavit* may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal *and provide the specific reason the ballot was rejected because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.* The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature *if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register.* This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) *If the canvassing board has not begun the canvassing of absentee ballots pursuant to subsection (2), the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete an affidavit in order to cure the unsigned absentee ballot. A supervisor who receives an absentee ballot that does not include*

the elector's signature must notify the elector of that fact along with the procedure for curing such deficiency within 48 hours of receipt.

(c) The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:

ABSENTEE BALLOT AFFIDAVIT

I, ..., am a qualified voter in this election and registered voter of ... County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.

...(Voter's Signature)...

...(Address)...

...(Date)...

(d) Instructions must accompany the absentee ballot affidavit in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before an election.

2. You must sign your name on the line above (Voter's Signature).

3. You must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport, debit or credit card, military identification, student identification, retirement center identification, neighborhood association identification, or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document, excluding voter identification card.

4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope.

5. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.

(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address on the page containing the affidavit instructions; the department's instruction page must include the office mailing addresses of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 17. This act shall take effect October 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; revising the qualifications to register to vote; authorizing a person who has been convicted of a felony and has served his or her sentence to preregister to vote; amending s. 97.052, F.S.; revising the uniform statewide voter re-

gistration application; amending s. 97.053, F.S.; revising what constitutes a complete voter registration application; amending s. 97.055, F.S.; revising the date that registration books must be closed for an election; amending s. 98.045, F.S.; revising the eligibility requirements for applicants for voter registration; revising procedures for removal of registered voters; amending s. 98.075, F.S.; revising procedures for ineligibility determinations of registered voters; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; amending s. 101.045, F.S.; authorizing an elector to vote a regular ballot at the polling place in the precinct to which he or she has moved by completing an affirmation; deleting a requirement that the elector's change of residence must occur within the same county for the elector to be able to vote in the new precinct; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; providing that a revised ballot summary prepared by the Attorney General may not exceed 75 words in length; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; providing requirements for determining the number of early voting sites each county must operate; increasing the number of days and hours for early voting; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot before canvassing; requiring the supervisor to notify the elector of the missing signature within 48 hours of receipt; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7013** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for SB 648—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; authorizing a health insurer to immediately begin using long-term care

insurance advertising material under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 648** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

—was read the second time by title.

Senator Simpson moved the following amendment which was adopted:

Amendment 1 (966408)—Delete lines 66-68 and insert: *a. The fossil fuel combustion product is not placed within 3 feet of groundwater or 15 feet of wetlands or natural water bodies, or within 100 feet of a potable well that is being used or*

Pursuant to Rule 4.19, **CS for CS for SB 682** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Thompson—

CS for SB 778—A bill to be entitled An act relating to transactions in fresh produce markets; providing definitions; authorizing certain owners and operators of farmers' markets, community farmers' markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 778** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

SB 1042—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Abruzzo moved the following amendment which was adopted:

Amendment 1 (795188) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Criminal justice commissions; public meetings exemption.*—

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

(a) *“Active” has the same meaning as provided in s. 119.011, Florida Statutes.*

(b) *“Criminal intelligence information” has the same meaning as provided in s. 119.011, Florida Statutes.*

(c) *“Criminal investigative information” has the same meaning as provided in s. 119.011, Florida Statutes.*

(d) *“Duly constituted criminal justice commission” or “commission” means an advisory commission created by municipal or county ordinance whose membership is comprised of private and public sector persons and whose purpose is to examine local criminal justice issues.*

(2) *That portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information that is currently being considered by, or which may foreseeably come before, the commission is exempt from s. 286.011, Florida Statutes, and s. 24(b), Art. I of the State Constitution, provided that at any public meeting of the commission at which such matter is being considered, the commission members publicly disclose the fact that the matter has been discussed.*

(3) *This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through re-enactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that the portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission be made exempt from public meeting requirements. If the meetings at which exempt information is discussed were open to the public, the purpose of the exemption from public records requirements found in chapter 119, Florida Statutes, would be defeated. The members of a duly constituted criminal justice commission must be able to hear and discuss exempt information freely in order to make sound recommendations regarding strategies and activities that are best suited to protect the welfare of the people of this state. The ability to conduct meetings at which members can freely discuss and fully understand the details of active criminal intelligence information and active criminal investigative information is critical to the ability of a duly constituted criminal justice commission to operate effectively.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

Pursuant to Rule 4.19, **SB 1042** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1300—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; providing fees;

establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (111936)—Delete line 6351 and insert: identical to its name or contains any one or more of the last names of any shareholder or member included in such name except that the word “chartered,” the

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 2 (241360) (with title amendment)—Between lines 5923 and 5924 insert:

Section 4. *Effective July 1, 2014, and contingent upon the amendment of s. 608.452, Florida Statutes, by the enactment of Senate Bill 1490 or other similar legislation, the fees provided under s. 605.0213, Florida Statutes, as created under this act, are amended to reflect the fee changes to s. 608.452, Florida Statutes, by Senate Bill 1490 or other similar legislation.*

And the title is amended as follows:

Delete line 34 and insert: Company Act; providing for the future and contingent amendment of fees of the Department of State; providing for the future repeal of ch.

Pursuant to Rule 4.19, **CS for CS for SB 1300** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1480—A bill to be entitled An act relating to interlocal agreements; amending s. 163.01, F.S.; modifying the definition of “public agency” to include a public transit provider; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendments which were adopted:

Amendment 1 (862824)—Delete line 20 and insert: *transit provider as defined in s. 341.031, an independently elected county officer, an any*

Amendment 2 (526356) (with directory and title amendments)—Between lines 23 and 24 insert:

(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, and which may include a special district or a public agency of this state in addition to a municipality or county or both, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this paragraph is not subject to Public Service Commission jurisdiction. The separate legal entity may not provide utility services within the service area of an existing utility system unless it has received the consent of the utility.

2. For purposes of this paragraph, the term:

a. “Host government” means the governing body of the county, if the largest number of equivalent residential connections currently served by a system of the utility is located in the unincorporated area, or the governing body of a municipality, if the largest number of equivalent residential connections currently served by a system of the utility is located within that municipality’s boundaries.

b. “Separate legal entity” means any entity created by interlocal agreement the membership of which is limited to two or more special districts, municipalities, ~~or~~ counties, or public agencies of the state, but which entity is legally separate and apart from any of its member governments.

c. “System” means a water or wastewater facility or group of such facilities owned by one entity or affiliate entities.

d. “Utility” means a water or wastewater utility and includes every person, separate legal entity, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.

3. A separate legal entity that seeks to acquire any utility shall notify the host government in writing by certified mail about the contemplated acquisition not less than 30 days before any proposed transfer of ownership, use, or possession of any utility assets by such separate legal entity. The potential acquisition notice shall be provided to the legislative head of the governing body of the host government and to its chief administrative officer and shall provide the name and address of a contact person for the separate legal entity and information identified in s. 367.071(4)(a) concerning the contemplated acquisition.

4.a. Within 30 days following receipt of the notice, the host government may adopt a resolution to become a member of the separate legal entity, adopt a resolution to approve the utility acquisition, or adopt a resolution to prohibit the utility acquisition by the separate legal entity if the host government determines that the proposed acquisition is not in the public interest. A resolution adopted by the host government which prohibits the acquisition may include conditions that would make the proposal acceptable to the host government.

b. If a host government adopts a membership resolution, the separate legal entity shall accept the host government as a member on the same basis as its existing members before any transfer of ownership, use, or possession of the utility or the utility facilities. If a host government adopts a resolution to approve the utility acquisition, the separate legal entity may complete the acquisition. If a host government adopts a prohibition resolution, the separate legal entity may not acquire the utility within that host government’s territory without the specific consent of the host government by future resolution. If a host government does not adopt a prohibition resolution or an approval resolution, the separate legal entity may proceed to acquire the utility after the 30-day notice period without further notice.

5. After the acquisition or construction of any utility systems by a separate legal entity created under this paragraph, revenues or any other income may not be transferred or paid to a member of a separate legal entity, or to any other special district, county, ~~or~~ municipality, or public agency of this state, from user fees or other charges or revenues

generated from customers that are not physically located within the jurisdictional or service delivery boundaries of the member, special district, county, ~~or~~ municipality, *or public agency* receiving the transfer or payment. Any transfer or payment to a member, special district, ~~or~~ ~~the~~ local government, *or public agency of this state* must be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member, special district, ~~or~~ local government, *or public agency* receiving the transfer of payment.

6. This section is an alternative provision otherwise provided by law as authorized in s. 4, Art. VIII of the State Constitution for any transfer of power as a result of an acquisition of a utility by a separate legal entity from a municipality, county, ~~or~~ special district, *or public agency of this state*.

7. The entity may finance or refinance the acquisition, construction, expansion, and improvement of such facilities relating to a governmental function or purpose through the issuance of its bonds, notes, or other obligations under this section or as otherwise authorized by law. The entity has all the powers provided by the interlocal agreement under which it is created or which are necessary to finance, own, operate, or manage the public facility, including, without limitation, the power to establish rates, charges, and fees for products or services provided by it, the power to levy special assessments, the power to sell or finance all or a portion of such facility, and the power to contract with a public or private entity to manage and operate such facilities or to provide or receive facilities, services, or products. Except as may be limited by the interlocal agreement under which the entity is created, all of the privileges, benefits, powers, and terms of s. 125.01, relating to counties, and s. 166.021, relating to municipalities, are fully applicable to the entity. However, neither the entity nor any of its members on behalf of the entity may exercise the power of eminent domain over the facilities or property of any existing water or wastewater plant utility system, nor may the entity acquire title to any water or wastewater plant utility facilities, other facilities, or property which was acquired by the use of eminent domain after the effective date of this act. Bonds, notes, and other obligations issued by the entity are issued on behalf of the public agencies that are members of the entity.

8. Any entity created under this section may also issue bond anticipation notes in connection with the authorization, issuance, and sale of bonds. The bonds may be issued as serial bonds or as term bonds or both. Any entity may issue capital appreciation bonds or variable rate bonds. Any bonds, notes, or other obligations must be authorized by resolution of the governing body of the entity and bear the date or dates; mature at the time or times, not exceeding 40 years from their respective dates; bear interest at the rate or rates; be payable at the time or times; be in the denomination; be in the form; carry the registration privileges; be executed in the manner; be payable from the sources and in the medium or payment and at the place; and be subject to the terms of redemption, including redemption prior to maturity, as the resolution may provide. If any officer whose signature, or a facsimile of whose signature, appears on any bonds, notes, or other obligations ceases to be an officer before the delivery of the bonds, notes, or other obligations, the signature or facsimile is valid and sufficient for all purposes as if he or she had remained in office until the delivery. The bonds, notes, or other obligations may be sold at public or private sale for such price as the governing body of the entity shall determine. Pending preparation of the definitive bonds, the entity may issue interim certificates, which shall be exchanged for the definitive bonds. The bonds may be secured by a form of credit enhancement, if any, as the entity deems appropriate. The bonds may be secured by an indenture of trust or trust agreement. In addition, the governing body of the legal entity may delegate, to an officer, official, or agent of the legal entity as the governing body of the legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate of interest, which may be fixed or may vary at the time and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of the legal entity. However, the amount and maturity of the bonds, notes, or other obligations and the interest rate of the bonds, notes, or other obligations must be within the limits prescribed by the governing body of the legal entity and its resolution delegating to an officer, official, or agent the power to authorize the issuance and sale of the bonds, notes, or other obligations.

9. Bonds, notes, or other obligations issued under this paragraph may be validated as provided in chapter 75. The complaint in any action to validate the bonds, notes, or other obligations must be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 must be published in Leon County and in each county that is a member of the entity issuing the bonds, notes, or other obligations, or in which a member of the entity is located, and the complaint and order of the circuit court must be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county that is a member of the entity issuing the bonds, notes, or other obligations or in which a member of the entity is located. Section 75.04(2) does not apply to a complaint for validation brought by the legal entity.

10. The accomplishment of the authorized purposes of a legal entity created under this paragraph is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Since the legal entity will perform essential governmental functions in accomplishing its purposes, the legal entity is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by it for such purposes or upon any revenues at any time received by it. The bonds, notes, and other obligations of an entity, their transfer, and the income therefrom, including any profits made on the sale thereof, are at all times free from taxation of any kind by the state or by any political subdivision or other agency or instrumentality thereof. The exemption granted in this subparagraph is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

And the directory clause is amended as follows:

Delete lines 9 and 10 and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (g) of subsection (7) of section 163.01, Florida Statutes, are amended to read:

And the title is amended as follows:

Between lines 4 and 5 insert: providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969;

Pursuant to Rule 4.19, **SB 1480** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for CS for CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 163.01, F.S.; modifying the definition of the term “public agency” to include a public transit provider; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending s. 373.618, F.S.; providing that certain public information systems operated by water management districts must be approved by the Department of Transportation and the Federal Highway Administration if such approval is required by certain laws and regulations; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in

commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, and certain displays on specific sports facilities; providing for the removal of signs if certain exemptions do not apply because the allocation of federal funds to the department will be adversely impacted; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department’s acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

—was read the second time by title.

Senator Latvala moved the following amendment which was adopted:

Amendment 1 (492710) (with title amendment)—Delete lines 127-141 and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (g) of subsection (7) of section 163.01, Florida Statutes, are amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(3) As used in this section:

(b) “Public agency” means a political subdivision, agency, or officer of this state or of any state of the United States, including, but not limited to, state government, county, city, school district, single and multipurpose special district, single and multipurpose public authority, me-

ropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7), a *public transit provider as defined in s. 341.031*, an independently elected county officer, any agency of the United States Government, a federally recognized Native American tribe, and any similar entity of any other state of the United States.

(7)

(g)1. Notwithstanding any other provisions of this section, any separate legal entity created under this section, the membership of which is limited to municipalities and counties of the state, and which may include a special district or a *public agency of this state* in addition to a municipality or county or both, may acquire, own, construct, improve, operate, and manage public facilities, or finance facilities on behalf of any person, relating to a governmental function or purpose, including, but not limited to, wastewater facilities, water or alternative water supply facilities, and water reuse facilities, which may serve populations within or outside of the members of the entity. Notwithstanding s. 367.171(7), any separate legal entity created under this paragraph is not subject to Public Service Commission jurisdiction. The separate legal entity may not provide utility services within the service area of an existing utility system unless it has received the consent of the utility.

2. For purposes of this paragraph, the term:

a. “Host government” means the governing body of the county, if the largest number of equivalent residential connections currently served by a system of the utility is located in the unincorporated area, or the governing body of a municipality, if the largest number of equivalent residential connections currently served by a system of the utility is located within that municipality’s boundaries.

b. “Separate legal entity” means any entity created by interlocal agreement the membership of which is limited to two or more special districts, municipalities, ~~or~~ counties, or *public agencies* of the state, but which entity is legally separate and apart from any of its member governments.

c. “System” means a water or wastewater facility or group of such facilities owned by one entity or affiliate entities.

d. “Utility” means a water or wastewater utility and includes every person, separate legal entity, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation.

3. A separate legal entity that seeks to acquire any utility shall notify the host government in writing by certified mail about the contemplated acquisition not less than 30 days before any proposed transfer of ownership, use, or possession of any utility assets by such separate legal entity. The potential acquisition notice shall be provided to the legislative head of the governing body of the host government and to its chief administrative officer and shall provide the name and address of a contact person for the separate legal entity and information identified in s. 367.071(4)(a) concerning the contemplated acquisition.

4.a. Within 30 days following receipt of the notice, the host government may adopt a resolution to become a member of the separate legal entity, adopt a resolution to approve the utility acquisition, or adopt a resolution to prohibit the utility acquisition by the separate legal entity if the host government determines that the proposed acquisition is not in the public interest. A resolution adopted by the host government which prohibits the acquisition may include conditions that would make the proposal acceptable to the host government.

b. If a host government adopts a membership resolution, the separate legal entity shall accept the host government as a member on the same basis as its existing members before any transfer of ownership, use, or possession of the utility or the utility facilities. If a host government adopts a resolution to approve the utility acquisition, the separate legal entity may complete the acquisition. If a host government adopts a prohibition resolution, the separate legal entity may not acquire the utility within that host government’s territory without the specific consent of the host government by future resolution. If a host government does not adopt a prohibition resolution or an approval re-

solution, the separate legal entity may proceed to acquire the utility after the 30-day notice period without further notice.

5. After the acquisition or construction of any utility systems by a separate legal entity created under this paragraph, revenues or any other income may not be transferred or paid to a member of a separate legal entity, or to any other special district, county, ~~or~~ municipality, *or public agency of this state*, from user fees or other charges or revenues generated from customers that are not physically located within the jurisdictional or service delivery boundaries of the member, special district, county, ~~or~~ municipality, *or public agency* receiving the transfer or payment. Any transfer or payment to a member, special district, ~~or~~ ~~other~~ local government, *or public agency of this state* must be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member, special district, ~~or~~ local government, *or public agency* receiving the transfer of payment.

6. This section is an alternative provision otherwise provided by law as authorized in s. 4, Art. VIII of the State Constitution for any transfer of power as a result of an acquisition of a utility by a separate legal entity from a municipality, county, ~~or~~ special district, *or public agency of this state*.

7. The entity may finance or refinance the acquisition, construction, expansion, and improvement of such facilities relating to a governmental function or purpose through the issuance of its bonds, notes, or other obligations under this section or as otherwise authorized by law. The entity has all the powers provided by the interlocal agreement under which it is created or which are necessary to finance, own, operate, or manage the public facility, including, without limitation, the power to establish rates, charges, and fees for products or services provided by it, the power to levy special assessments, the power to sell or finance all or a portion of such facility, and the power to contract with a public or private entity to manage and operate such facilities or to provide or receive facilities, services, or products. Except as may be limited by the interlocal agreement under which the entity is created, all of the privileges, benefits, powers, and terms of s. 125.01, relating to counties, and s. 166.021, relating to municipalities, are fully applicable to the entity. However, neither the entity nor any of its members on behalf of the entity may exercise the power of eminent domain over the facilities or property of any existing water or wastewater plant utility system, nor may the entity acquire title to any water or wastewater plant utility facilities, other facilities, or property which was acquired by the use of eminent domain after the effective date of this act. Bonds, notes, and other obligations issued by the entity are issued on behalf of the public agencies that are members of the entity.

8. Any entity created under this section may also issue bond anticipation notes in connection with the authorization, issuance, and sale of bonds. The bonds may be issued as serial bonds or as term bonds or both. Any entity may issue capital appreciation bonds or variable rate bonds. Any bonds, notes, or other obligations must be authorized by resolution of the governing body of the entity and bear the date or dates; mature at the time or times, not exceeding 40 years from their respective dates; bear interest at the rate or rates; be payable at the time or times; be in the denomination; be in the form; carry the registration privileges; be executed in the manner; be payable from the sources and in the medium or payment and at the place; and be subject to the terms of redemption, including redemption prior to maturity, as the resolution may provide. If any officer whose signature, or a facsimile of whose signature, appears on any bonds, notes, or other obligations ceases to be an officer before the delivery of the bonds, notes, or other obligations, the signature or facsimile is valid and sufficient for all purposes as if he or she had remained in office until the delivery. The bonds, notes, or other obligations may be sold at public or private sale for such price as the governing body of the entity shall determine. Pending preparation of the definitive bonds, the entity may issue interim certificates, which shall be exchanged for the definitive bonds. The bonds may be secured by a form of credit enhancement, if any, as the entity deems appropriate. The bonds may be secured by an indenture of trust or trust agreement. In addition, the governing body of the legal entity may delegate, to an officer, official, or agent of the legal entity as the governing body of the legal entity may select, the power to determine the time; manner of sale, public or private; maturities; rate of interest, which may be fixed or may vary at the time and in accordance with a specified formula or method of determination; and other terms and conditions as may be deemed appropriate by the officer, official, or agent so designated by the governing body of the

legal entity. However, the amount and maturity of the bonds, notes, or other obligations and the interest rate of the bonds, notes, or other obligations must be within the limits prescribed by the governing body of the legal entity and its resolution delegating to an officer, official, or agent the power to authorize the issuance and sale of the bonds, notes, or other obligations.

9. Bonds, notes, or other obligations issued under this paragraph may be validated as provided in chapter 75. The complaint in any action to validate the bonds, notes, or other obligations must be filed only in the Circuit Court for Leon County. The notice required to be published by s. 75.06 must be published in Leon County and in each county that is a member of the entity issuing the bonds, notes, or other obligations, or in which a member of the entity is located, and the complaint and order of the circuit court must be served only on the State Attorney of the Second Judicial Circuit and on the state attorney of each circuit in each county that is a member of the entity issuing the bonds, notes, or other obligations or in which a member of the entity is located. Section 75.04(2) does not apply to a complaint for validation brought by the legal entity.

10. The accomplishment of the authorized purposes of a legal entity created under this paragraph is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions. Since the legal entity will perform essential governmental functions in accomplishing its purposes, the legal entity is not required to pay any taxes or assessments of any kind whatsoever upon any property acquired or used by it for such purposes or upon any revenues at any time received by it. The bonds, notes, and other obligations of an entity, their transfer, and the income therefrom, including any profits made on the sale thereof, are at all times free from taxation of any kind by the state or by any political subdivision or other agency or instrumentality thereof. The exemption granted in this subparagraph is not applicable to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

And the title is amended as follows:

Delete line 4 and insert: "agency" to include a public transit provider; providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969; amending

Senators Latvala and Evers offered the following amendment which was moved by Senator Latvala and adopted:

Amendment 2 (222666)—Delete lines 1180-1198 and insert: *this chapter for a sign permit, and has never been exempt from the requirement that a permit be obtained pursuant to s. 479.16, the sign owner may receive a permit as a nonconforming sign if the department determines that the sign is not located on a state right-of-way and is not a safety hazard, and if the sign owner pays a penalty fee of \$300 and all pertinent fees required by this chapter, including annual permit renewal fees payable since the date of the erection of the sign, and attaches to the permit application package documentation that demonstrates that:*

a. *The sign has been unpermitted, structurally unchanged, and continuously maintained at the same location for a period of 7 years or more;*

b. *During the initial 7 years in which the sign has been subject to the jurisdiction of the department, the sign would have met the criteria established in this chapter which were in effect at that time for issuance of a permit; and*

c. *The department has not initiated a notice of violation or taken other action to remove the sign during the initial 7-year period in which the sign has been subject to the jurisdiction of the department.*

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (589910)—Delete line 1279 and insert: *department. If such actions are determined by the department to have been taken with willful intent, such person shall be subject to an administrative penalty of \$1,000 for each tree removed, cut, or trimmed in violation of this section. A person aggrieved by an action of the department levying or imposing an administrative penalty under this section may, within 30 days after receipt of the notice of administrative penalty, request an administrative hearing pursuant to chapter 120. If a timely request for a hearing has*

been filed and the department issues a final order imposing the administrative penalty, the penalty shall become effective 30 days after the date it was issued. The timely filing of a proper notice of appeal stays the imposition of the administrative penalty until the department's action is upheld.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1632** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

SB 1806—A bill to be entitled An act relating to total maximum daily loads; amending s. 403.067, F.S.; exempting total maximum daily load rules from legislative ratification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1806** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement specified provisions to control nutrient load in state waters; authorizing the department to implement specified nutrient standards; providing for deletion of a specified rule from the Florida Administrative Code; providing that specified nutrient criteria rules are subject to specified provisions of the Florida Administrative Code; exempting such nutrient criteria rules from ratification by Legislature under s. 120.541(3), F.S.; directing the department to establish numeric interpretations of the narrative nutrient criterion for certain estuaries and waters, subject to specified provisions and standards; directing the department to submit a specified report to the Governor and Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1808** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 292—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 292**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 55** was withdrawn from the Committees on Commerce and Tourism; and Judiciary.

On motion by Senator Richter—

CS for CS for HB 55—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional

opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 292** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 55** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 376—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (344692) (with title amendment)—Delete lines 75-245 and insert: d.(I) The home addresses, telephone numbers, social security numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(II) *The names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

(III) *Sub-sub-subparagraph d.(II) is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through re-enactment by the Legislature.*

e. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer provides a written statement that the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer has made reasonable efforts to protect such information from being accessible through other means available to the public.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

h. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, if the guardian ad litem provides a written statement that the guardian ad litem has made reasonable efforts to protect such information from being accessible through other means available to the public.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such defenders or counsel; and the names and locations of schools and day care facilities attended by the children of such defenders or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

k. The home addresses, telephone numbers, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the investigator or inspector has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

l. The home addresses and telephone numbers of county tax collectors; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the county tax collector has made reasonable efforts to protect such information from being accessible

through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

4. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

5. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) *The Legislature finds that it is a public necessity that the names of the spouses and children of active or former sworn or civilian law enforcement personnel be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Sworn and civilian law enforcement personnel in this state perform a variety of important duties that ensure public safety and welfare and encourage safe and civil communities. Correctional and correctional probation officers work with felons, many of whom have committed violent crimes. Personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, and personnel of the Department of Health, work with individuals who may be a danger to their own children and families, as well as the children of others. Personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement investigate and bring enforcement actions against individuals who have failed to pay their lawful taxes or failed to pay to support their children. As a result of their duties, these sworn and civilian law enforcement personnel often come in close contact with individuals who not only may be a threat to these personnel, but who might seek to take revenge against them by harming their spouses and children. Permitting access to the names of the spouses and children of active or former sworn or civilian law enforcement personnel provides a means by which individuals who have been investigated, arrested, interrogated, or incarcerated can identify and cause physical or emotional harm to these spouses and children. The Legislature therefore finds that the harm that may result from the release of the names of spouses and children of such law enforcement personnel outweighs any public benefit that may be derived from the disclosure of the information.*

(2) *The Legislature finds that it is a public necessity that the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. State attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors prosecute individuals who are considered dangerous and violent. Permitting access to the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors provides a means by which a criminal defendant or a friend or family member of such defendant could harm or threaten with harm these spouses and children. The Legislature therefore finds that the harm that may result from the release of the names of spouses and children of such attorneys and prosecutors outweighs any public benefit that may be derived from the disclosure of the information.*

And the title is amended as follows:

Delete line 19 and insert: necessity; creating an exemption from public records requirements for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 376** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Pursuant to Rule 4.19, **CS for CS for SB 650** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for SB 496—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 496** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; reorganizing provisions relating to license fees for certain practitioners; amending s. 456.076, F.S.; providing that the Department of Financial Services shall defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of impaired practitioners; amending s. 893.055, F.S.; defining the term “impaired practitioner consultant”; providing that impaired practitioner consultants retained by the Department of Health have access to information in the prescription drug monitoring program’s database in certain circumstances; amending s. 893.0551, F.S.; defining the term “impaired practitioner consultant”; allowing impaired practitioner consultants access to certain confidential information in the prescription drug monitoring program’s database when necessary to evaluate or monitor a practitioner as part of a treatment program for impaired practitioners; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Bean moved the following amendments which were adopted:

Amendment 1 (689046)—Delete line 32 and insert: pay to the department the following nonrefundable fees, *and these fees must be deposited into the Emergency Medical Services Trust Fund to be applied solely for salaries and expenses of the department incurred in implementing and enforcing this part:*

Amendment 2 (306420) (with title amendment)—Delete lines 82-148.

And the title is amended as follows:

Delete lines 9-21 and insert: on behalf of the impaired practitioners;

Pursuant to Rule 4.19, **SB 604** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sachs—

CS for CS for SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowl; creating s. 828.1615, F.S.; providing that it is unlawful to sell, barter, or give away animals or fowl that have been dyed or colored; providing that it is unlawful to sell, offer to sell, or give away certain animals of a certain age to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; providing an effective date.

—was read the second time by title.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote, all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, April 24.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, April 16, 2013: CS for CS for CS for SB 52, CS for SB 142, SB 282, CS for SB 320, CS for CS for SB 398, CS for CS for CS for SB 600, CS for SB 648, CS for CS for SB 682, CS for SB 778, SB 1042, CS for CS for SB 1300, SB 1480, CS for CS for CS for SB 1632, CS for CS for SB 1644, SB 1806, CS for SB 1808, CS for CS for SB 292, CS for SB 300, CS for SB 376, CS for SB 496, SB 604, CS for CS for SB 650, SB 832, CS for CS for SB 904, CS for SB 964, CS for CS for SB 972, SB 1066, CS for SB 102, SB 318, CS for CS for SB 468, CS for SB 1302, CS for SB 1398, SM 1478, CS for SB 1768, SB 1784, CS for CS for SB 658.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Commerce and Tourism recommends the following pass: CS for SB 1408

The Committee on Criminal Justice recommends the following pass: SB 1834

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 590

The Committee on Judiciary recommends the following pass: CS for SB 946; CS for SB 1114

The bills contained in the foregoing reports were referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 976

The Committee on Criminal Justice recommends the following pass: SB 882

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 804

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 610 with 1 amendment

The Committee on Commerce and Tourism recommends the following pass: CS for SB 550; CS for SB 814

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

The Committee on Commerce and Tourism recommends the following pass: CS for SB 262

The Committee on Judiciary recommends the following pass: CS for SB 626; CS for SB 836; CS for SB 1000; SB 1412

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

The Committee on Criminal Justice recommends the following pass: CS for SB 808; CS for SB 962; CS for CS for SB 1410

The Committee on Judiciary recommends the following pass: CS for SB 716; CS for CS for SB 874

The bills were placed on the Calendar.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1748

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

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1368

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 110; SB 1212

The bills with committee substitute attached were referred to the Committee on Health Policy under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: CS for SB 958

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 418

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1442

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends a committee substitute for the following: CS for SB 1032

Appropriations Subcommittee on Education recommends committee substitutes for the following: CS for SB 150; SB 862; CS for SB 1388

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends a committee substitute for the following: CS for SB 1132

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senator Flores—

CS for SB 110—A bill to be entitled An act relating to the Florida Mental Health Act; requiring the Department of Children and Families to convene a work group to review the Florida Mental Health Act to determine whether certain revisions are necessary; requiring the work group to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

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

CS for SB 418—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas sto-

rage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Soto—

CS for SB 1212—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of the Office of State Long-Term Care Ombudsman; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Criminal Justice; and Health Policy; and Senator Ring—

CS for CS for SB 1368—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations and registered intern licenses; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and

Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; providing an effective date.

By the Committees on Criminal Justice; and Regulated Industries; and Senator Lee—

CS for CS for SB 1442—A bill to be entitled An act relating to alarm systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price and providing exceptions; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of a Low-Voltage Alarm System Project; authorizing a local enforcement agency to inspect; prohibiting municipalities, counties, districts, or other entities of local government from adopting or maintaining an ordinance or rule inconsistent with this section; providing that a label is not required for the subsequent maintenance, inspection, or service of a permitted alarm system; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Evers—

CS for SB 1748—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; requiring the Department of Children and Families to review financial transactions affecting eligibility; making technical corrections; creating s. 409.9022, F.S.; exempting the value of a Medicaid applicant's life insurance policy, annuity, or group certificate from the determination of the applicant's Medicaid eligibility under certain circumstances; authorizing a state agency to delay implementation of certain provisions if a federal waiver or authorization is required; specifying limitations; authorizing the department to adopt rules; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; making grammatical changes; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting a permit for certain natural gas storage facilities; creating s. 377.2432,

F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that a natural gas storage facility operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through a requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and for certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; requiring the Department of Environmental Protection to adopt rules; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Florida Building Commission	Appointee: Meyer, Elizabeth, Jacksonville	02/07/2017
Florida Inland Navigation District	Appointees: Chappell, Tyler, Lighthouse Point Cuzzo, Donald J., Palm City Dritenbas, Paul U., Vero Beach Isiminger, Charles C., North Palm Beach Netts, Jonathan S., Palm Coast	01/09/2017 01/09/2017 01/09/2017 01/09/2015 01/09/2015
Florida Real Estate Commission	Appointee: Furst, Darla Ann, Sarasota	10/31/2016
Governing Board of the South Florida Water Management District	Appointees: Hutchcraft, Mitchel A., Ft. Myers Powers, Kevin P., Stuart	03/01/2017 03/01/2017
Governing Board of the Southwest Florida Water Management District	Appointee: Beruff, Carlos, Parrish	03/01/2017
Board of Trustees, Florida Gulf Coast University	Appointee: Goodlette, John Dudley, Naples	01/06/2018

Referred to the Committee on Ethics and Elections.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 11 and April 15 were corrected and approved.

CO-INTRODUCERS

Senators Brandes—SB 1784; Detert—CS for SB 378

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 12:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 24 or upon call of the President.



Journal of the Senate

Number 15—Regular Session

Tuesday, April 23, 2013

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REPORTS OF COMMITTEES

The Committee on Banking and Insurance recommends the following pass: SB 1262 with 1 amendment

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 860

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

The Committee on Community Affairs recommends the following pass: SB 514

The bill was referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 1080 with 1 amendment

The bill was referred to Appropriations Subcommittee on General Government under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 378; SB 924

The Committee on Education recommends the following pass: CS for SB 1406

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1318; SB 1680

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

The Committee on Appropriations recommends the following pass: SB 236; CS for SB 400; CS for SB 402; CS for SB 404; CS for CS for SB 442; CS for SB 522; CS for SB 546; CS for CS for SB 654; CS for CS for SB 676; CS for SB 754; CS for SB 768; SB 788; CS for SB 842; CS for CS for SB 848; CS for SB 852; CS for SB 864; SB 936; CS for SB 938; CS for SB 948; CS for SB 1048; CS for SB 1108; CS for SB 1126; SB 1330; CS for SB 1372; CS for SB 1404; CS for SB 1420; CS for SB 1434; CS for SB 1468; SB 1830; SB 1832; SB 1852

The Committee on Health Policy recommends the following pass: SM 1600

The Committee on Rules recommends the following pass: CS for SB 262; CS for SB 304; CS for SB 378; CS for SB 474; CS for CS for SB 490; CS for SB 536; CS for SB 626; SB 706; CS for SB 714; SB 736; CS for SB 824; CS for SB 834; SB 924; CS for CS for SB 984; SB 986; CS for SB 1000; CS for SB 1014; CS for CS for SB 1016; CS for SB 1098; CS for SB 1172; CS for CS for SB 1210; CS for SB 1260; CS for SB 1318; CS for CS for SB 1384; SB 1424; CS for SB 1496; SB 1680; CS for SB 1756; SB 1800; SB 1848; SB 1850; SB 1864; CS for SB 1868

The bills were placed on the Calendar.

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1482; CS for SB 1636; CS for SB 1666

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 250

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

The Committee on Rules recommends a committee substitute for the following: SB 712

The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1166

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1376

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1020

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 594

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1028

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for SB 984; SB 1868

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1384

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

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 306; CS for CS for SB 436; CS for SB 446; CS for SB 448; CS for SB 504; CS for CS for SB 556; CS for SB 560; CS for SB 642; CS for CS for CS for SB 726; CS for SB 770; CS for SB 802; CS for SB 928; SB 952; CS for SB 966; SB 1036; CS for SB 1040; CS for SB 1046; CS for SB 1074; CS for SB 1094; CS for CS for SB 1110; CS for SB 1140; CS for SB 1150; CS for SB 1188; CS for CS for CS for SB 1382; CS for SB 1458; SB 1464; CS for SB 1628; CS for SB 1664; CS for SB 1686; CS for SB 1690; CS for SB 1718; SB 1750; SB 1828; SB 1842

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 1128; CS for SB 1472; CS for CS for SB 1594

The Committee on Judiciary recommends a committee substitute for the following: SB 634

The Committee on Rules recommends committee substitutes for the following: CS for SB 528; CS for CS for SB 580; CS for CS for SB 1122; CS for CS for SB 1160; CS for SB 1494; CS for CS for SB 1734; CS for SB 1840

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for CS for SB 672

Appropriations Subcommittee on Education recommends the following pass: CS for SB 154; CS for SB 226

Appropriations Subcommittee on Finance and Tax recommends the following pass: SB 1838

Appropriations Subcommittee on General Government recommends the following pass: CS for SB 156; CS for CS for SB 242; CS for SB 1046; CS for SB 1080

Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for SB 1748

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 582; CS for SB 632

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

Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB 1722

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: SB 916; SB 1026; SB 1064; SB 1246

Appropriations Subcommittee on General Government recommends committee substitutes for the following: SB 410; CS for SB 1416; CS for SB 1684

Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 360; CS for SB 844; CS for SB 896; SB 1816; SB 1844

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends committee substitutes for the following: CS for CS for SB 274; CS for SB 1352

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Banking and Insurance recommends that the Senate confirm the following appointment made by the Governing Board:

Office and Appointment

For Term Ending

Executive Director, Citizens Property Insurance Corporation

Appointee: Gilway, Barry J.

Pleasure of the Board

The Committee on Health Policy recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

For Term Ending

State Surgeon General

Appointee: Armstrong, John H.

Pleasure of Governor

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Resolutions 1870-1882—Not Referenced

By the Committee on Health Policy—

SB 1884—A bill to be entitled An act relating to county Medicaid contributions; amending s. 409.915, F.S.; specifying the initial contribution and revising the method for calculating county contributions; providing timetables for calculating contributions and for payment of contributions; deleting provisions specifying the care and services that counties must participate in, obsolete bond provisions, and a process for refund requests; specifying the method for calculating each county's contribution for the 2013-2014 fiscal year; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Banking and Insurance—

SB 1886—A bill to be entitled An act relating to public records; amending s. 324.242, F.S.; providing a public records exemption for certain information regarding bodily injury liability insurance policies; providing for future legislative review and repeal of the exemption for information regarding certain liability insurance policies under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By the Committee on Banking and Insurance—

SB 1888—A bill to be entitled An act relating to motor vehicle liability insurance; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 324.011, F.S.; revising legislative intent with respect to financial responsibility for the damages caused by the operation of a motor vehicle; amending ss. 324.021 and 324.022, F.S.; increasing financial responsibility limits with respect to bodily injury or death; conforming provisions to changes made by the act; amending s. 324.0221, F.S.; requiring insurers to submit information to the Department of Highway Safety and Motor Vehicles and to notify insureds about bodily injury insurance rather than personal injury protection coverage; amending s. 324.023, F.S.; conforming a cross-reference; amending s. 324.031, F.S.; deleting the requirement that the owner of a for-hire vehicle post a bond to prove financial responsibility; increasing the financial responsibility limits for motor vehicle liability; amending s. 324.071, F.S.; conforming provisions to changes made by the act; amending s. 324.161, F.S.; increasing the amount required for a surety bond or deposit; amending s. 324.171, F.S.; revising the required threshold limit for self-insurers; repealing s. 627.730, F.S., providing citation to the Florida Motor Vehicle No-Fault Law; repealing s. 627.731, F.S., relating to the purpose of the No-Fault Law; repealing s. 627.7311, F.S., relating to the effect of law on personal injury protection policies; amending s. 627.732, F.S.; deleting definitions relating to the no-fault law; amending s. 627.733, F.S.; deleting security requirements with respect to no-fault coverage to substitute security requirements under ch. 324, F.S.; amending s. 627.734, F.S.; conforming cross-references; renumbering and amending s. 627.7401, F.S.; applying notice requirements to bodily injury and property damage liability security instead of personal injury protection; creating s. 627.7355, F.S.; requiring all claims relating to personal injury to be brought in a single action; repealing s. 627.736, F.S., relating to personal injury protection benefits; repealing s. 627.737, F.S., relating to exemption from tort liability for persons maintaining personal injury protection coverage; repealing s. 627.739, F.S., relating to personal injury protection deductibles; repealing s. 627.7403, F.S., relating to the mandatory joinder of derivative claims; repealing s. 627.7405, F.S., relating to the insurers' right of reimbursement; repealing s. 627.7407, F.S., relating to the application of the No-Fault Law; repealing ss. 15 and 16 of chapter 2012-197, Laws of Florida, requiring the Office of Insurance Regulation to contract for a study and perform a data call relating to changes made to the No-Fault Law in 2012; amending ss. 318.18, 320.02, 320.0609, 320.27, 320.771, 322.251, 400.9905, 400.991, 400.9935, 409.901, 409.910, 456.057, 456.072, 626.9541, 626.989, 626.9895, 627.06501, 627.0652, 627.0653, 627.4132, 627.6482, 627.7263, 627.727, 627.7275, 627.728, 627.7295, 627.8405, 627.915, 628.909, 705.184, 713.78, and 817.234 F.S.; conforming provisions to changes made by the act by removing references to personal injury protection and the Florida Motor Vehicle No-Fault Law; making technical changes; conforming cross-references; providing for the termination of personal injury protection policies and the requirement for maintaining minimum security requirements that allow a person to respond to property damage and bodily injury by a certain date; requiring the insurer to notify the insured about such changes by a certain date; providing for applicability of suspensions for failure to maintain security; providing effective dates.

—was referred to the Committee on Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 250—A bill to be entitled An act relating to the Florida Law Enforcement Officers' Hall of Fame; creating s. 265.004, F.S.; establishing the Florida Law Enforcement Officers' Hall of Fame; providing for administration by the Department of Law Enforcement; designating location; providing procedures for selection, nomination, and induction; providing an effective date.

By the Committees on Appropriations; Rules; and Appropriations; and Senators Braynon and Abruzzo—

CS for CS for CS for SB 306—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority plus one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposed use of the tax revenues; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definitions of the terms "international banking facility" and "foreign person" in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms "agreement," "applicant," "beneficiary," "facility," "project," "state sales taxes generated by sales at the facility," and "signature event"; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by a certain date; requiring legislative approval for state funding; providing evaluation criteria for an applicant to receive state funding; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; requiring the Department of Revenue to distribute funds within a certain timeframe after notification by the department; limiting annual distributions to \$13 million; providing for a contract between the department and the applicant; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; requiring award of a signature event as a condition for receiving distributions for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for reimbursement of the state funding under certain circumstances; providing for discontinuation of distributions upon an applicant's request; authorizing the Department of Economic Opportunity to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; amending s. 218.64, F.S.; providing for municipalities and counties to expend a portion of local government half-cent sales tax revenues to reimburse the state as required by a contract; authorizing the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

By the Committees on Appropriations; Judiciary; and Regulated Industries; and Senators Altman and Sachs—

CS for CS for CS for SB 436—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a

common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a condominium association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; providing requirements for the maintenance of the official records of the association; authorizing records to be made available to unit owners in an electronic format; providing a civil penalty for the denial of a request to view records; requiring an association to allow a member or the member's authorized representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or authorized representative for using the portable device; authorizing a cooperative association to print and distribute a member directory under certain conditions; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a homeowners' association to print and distribute a member directory under certain conditions; re-

vising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Hukill—

CS for CS for SB 446—A bill to be entitled An act relating to the economic development incentive application process; amending s. 288.061, F.S.; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; providing an effective date.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senators Dean and Simpson—

CS for CS for SB 448—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term "navigation rules" for purposes of provisions relating to vessels; amending s. 328.72, F.S.; deleting the automatic adjustment of vessel registration fees every 5 years; amending s. 379.101, F.S.; revising the definition of the term "resident" or "resident of Florida" for purposes of provisions relating to recreational and non-recreational activity licenses; providing for certain evidence of residence; revising the definition of the term "resident alien" to remove a county residency requirement; amending s. 379.353, F.S.; exempting individuals participating in certain outdoor recreational events from requirements for a hunting or fishing license or permit; amending s. 379.354, F.S.; deleting a provision that provides for an automatic adjustment of recreational hunting and fishing license fees every 5 years; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements

for a restricted species endorsement on a saltwater products license; providing an effective date.

By the Committees on Appropriations; and Criminal Justice; and Senators Brandes, Gardiner, Lee, and Sachs—

CS for CS for SB 504—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; amending s. 828.27, F.S.; providing for additional uses by certain counties of proceeds of surcharges on animal control or cruelty violations; providing for expiration; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

By the Committees on Rules; and Community Affairs; and Senator Simpson—

CS for CS for SB 528—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; clarifying the prohibition on an initiative or referendum process in regard to development orders; clarifying the prohibition on an initiative or referendum process in regard to comprehensive plan amendments and map amendments; clarifying that the exception to the prohibition on an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is limited to a local government charter provision in effect on June 1, 2011, that specifically authorized an initiative or referendum process for local comprehensive plan or map amendments that affect more than five parcels of land; providing legislative intent; providing for retroactive application; providing for the retroactive repeal of s. 4 of chapter 2012-75, Laws of Florida, relating to a presumption regarding agricultural enclaves; providing an effective date.

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

CS for CS for CS for SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 101.151, F.S.; clarifying when the office title “Clerk of the Circuit Court and Comptroller” may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange, unless the property record card is available online from the property appraiser; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; amending s. 985.045, F.S.; providing that the office of the public defender shall have access to certain juvenile records before an appointment of representation; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senators Simpson, Bean, Bradley, Stargel, Latvala, Grimsley, Evers, Soto, Ring, Gibson, Hays, Lee, Altman, Thompson, Garcia, and Diaz de la Portilla—

CS for CS for SB 560—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the

annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the state and local alternative fuel user fee clearing trust funds; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas fuel under certain circumstances; directing the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring the report to be submitted to the Legislature by a specified date; creating the natural gas fuel fleet vehicle rebate program within the Department of Agriculture and Consumer Services; providing definitions; prescribing powers and duties of the department with respect to the program; prescribing limits on rebate awards; providing policies and procedures for application approval; requiring the department to adopt rules by a specified date; requiring the department to publish on its website the availability of rebate funds; requiring the department to submit an annual assessment to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability by a specified date; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing that funding for the program is subject to an annual appropriation; providing effective dates.

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

CS for CS for CS for SB 580—A bill to be entitled An act relating to homeowners’ associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the

reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding prohibited clauses in association documents; providing prohibited clauses in association documents; amending s. 720.3085, F.S.; defining the term “previous owner” to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner’s liability for certain assessments; providing an effective date.

By the Committee on Banking and Insurance; and Senator Bean—

CS for SB 594—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 400.9905, F.S.; clarifying provisions to exempt certain clinics that receive reimbursement under the Florida Motor Vehicle No-Fault Law from licensure requirements in this state if they hold specific federal certification; extending the exemption to clinics that are owned by certain entities; providing an effective date.

By the Committee on Judiciary; and Senator Simpson—

CS for SB 634—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising provisions relating to the operation of radios or other soundmaking devices in vehicles; deleting a standard for determining prohibited sound levels; deleting an exception for vehicles operated for business or political purposes; authorizing local authorities to regulate the place where such soundmaking devices may be operated; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Hays—

CS for CS for SB 642—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions regarding a state license tax involved with the operation of distilleries; providing requirements for craft distilleries under certain conditions; prohibiting the shipment of certain distilled spirits; restricting license transferability and ownership affiliation; providing reporting requirements; providing requirements relating to the payment of taxes; providing for the adoption of rules; amending s. 561.14, F.S.; conforming a cross-reference; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premises; amending s. 567.06; conforming a cross-reference; amending s. 567.07, F.S.; conforming a cross-reference; declaring that the provisions of ss. 565.03 and 561.14, F.S., as amended by this act are not severable; providing a severability clause; providing an effective date.

By the Committee on Rules; and Senator Latvala—

CS for SB 712—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Fallen Law Enforcement Officers license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

By the Committees on Appropriations; Judiciary; Health Policy; and Community Affairs; and Senator Simmons—

CS for CS for CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force;

directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Ring—

CS for CS for SB 770—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Hays—

CS for CS for SB 802—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners’ Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Florida Building Code Administrators and Inspectors Board to the Florida Homeowners’ Construction Recovery Fund; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Simpson—

CS for CS for SB 928—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; modifying the definition of “qualifying housing development”; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; directing the corporation to adopt rules prioritizing affordable housing projects in the Florida Keys; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation’s strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation’s development of its long-range plan; revising the required contents and information to be included in the corporation’s annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the HOPE program; providing for retroactive application; providing an effective date.

By the Committee on Appropriations; and Senators Simmons and Gardiner—

CS for SB 952—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the “Central Florida Expressway System”; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of

governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease or lease-purchase agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Bean—

CS for CS for SB 966—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S.; deleting a monthly reporting requirement for laboratories; amending s. 154.11, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 322.142, F.S.; allowing the Department of Highway Safety and Motor Vehicles to share driver license photographs with the Agency for Health Care Administration pursuant to an interagency agreement; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 381.745, F.S.; revising a definition; amending s. 381.75, F.S.; revising the duties of the Department of Health as they relate to transitional living facilities; amending s. 381.78, F.S.; conforming provisions to changes made by the act; creating s. 385.2035, F.S.; designating the Florida Hospital Sanford-Burnham Translational Research Institute for Metabolism and Diabetes as a resource for diabetes research in this state; amending s. 394.4574, F.S.; providing that Medicaid prepaid behavioral health plans are responsible for enrolled mental health residents; providing that managing entities under contract with the Department of Children and Families are responsible for mental health residents who are not enrolled with a Medicaid prepaid behavioral health plan; deleting a provision to conform to changes made by the act; requiring that the community living support plan be completed and provided to the administrator of a facility upon the mental health resident's admission; requiring the community living support plan to be updated when there is a significant change to the mental health resident's behavioral health; requiring the case manager assigned to a mental health resident of an assisted living facility that holds a limited mental health license to keep a record of the date and time of face-to-face interactions with the resident and to make the record available to the responsible entity for inspection; requiring that the record be maintained for a specified time; requiring the responsible entity to ensure that there is adequate and consistent monitoring and enforcement of community living support plans and cooperative agreements and that concerns are reported to the appropriate regulatory

oversight organization under certain circumstances; amending s. 394.741, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 395.0161, F.S.; deleting a requirement that hospitals pay certain inspection fees at the time of the inspection; repealing s. 395.1046, F.S., relating to the investigation by the Agency for Health Care Administration of certain complaints against hospitals; amending s. 395.3038, F.S.; deleting an obsolete provision relating to stroke centers; revising references to certain accrediting organizations to conform; repealing s. 395.40, F.S.; amending s. 395.4001, F.S.; revising the definition of the terms "level II trauma center" and "trauma center"; amending s. 395.401, F.S.; revising the components of plans for local and regional trauma services systems; amending s. 395.4015, F.S.; requiring regional trauma plans to recognize trauma service areas that reflect well established patient flow patterns; amending s. 395.402, F.S., repealing provisions relating to the Department of Health's assignment of counties to trauma service areas; repealing outdated provisions requiring the Department of Health to conduct a study; repealing provisions requiring the Department of Health to annually review the assignment of counties to trauma service centers; repealing provisions regarding the number of trauma centers in each trauma service area and in the state; amending s. 395.4025, F.S.; establishing criteria for designating Level II trauma centers in areas with limited access to trauma center services; retaining trauma center designation for centers designated or provisionally approved as of July 1, 2013; amending s. 395.405, F.S., removing rulemaking authority for s. 395.402, F.S.; amending s. 395.701, F.S.; revising the definition of the term "hospital" for purposes of annual assessments on net operating revenues for inpatient and outpatient services to fund public medical assistance; repealing s. 395.7015, F.S., relating to annual assessments on health care entities; amending s. 395.7016, F.S.; revising a cross-reference to conform to changes made by the act; amending ss. 397.403, F.S.; amending s. 400.0074, F.S.; providing that an administrative assessment conducted by a local council be comprehensive in nature and focus on factors affecting the rights, health, safety, and welfare of the residents of a nursing home; requiring a local council to conduct an exit consultation with the facility administrator or administrator designee to discuss issues and concerns in areas affecting rights, health, safety, and welfare of residents and make recommendations for improvement; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 400.0078, F.S.; requiring that residents of long-term care facilities be informed that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; amending s. 400.462, F.S.; defining the term "home health agency" to include a Nurse Registry under certain circumstances; amending s. 400.464, F.S.; exempting the delivery of certain home dialysis services from licensure requirements; repealing s. 400.805, F.S.; relating to transitional living facilities; providing that every transitional living facility licensed under s. 400.805, F.S., on or before a specified date is licensed under the provisions of the act; amending s. 400.925, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 400.93, F.S.; providing that transitional living facilities licensed under part XI of ch. 400, F.S., are exempt from home medical equipment provider licensure; amending s. 400.9905, F.S.; revising a definition; amending s. 400.9935, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; creating part XI of ch. 400, F.S., entitled "Transitional Living Facilities"; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; requiring a facility to provide a therapeutic milieu that supports a culture of individual empowerment and responsibility; providing that the health and safety of the client is the primary concern of the facility; providing re-

quirements and limitations for the use of physical restraints, seclusion, and chemical restraint medication on clients; requiring the Agency for Health Care Administration to adopt rules; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; authorizing the agency to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; amending s. 402.7306, F.S.; revising a reference to certain accrediting organizations to conform to changes made by the act; amending s. 408.061, F.S.; exempting hospitals operated by state agencies from certain annual fiscal experience reporting requirements; amending s. 408.20, F.S.; exempting hospitals operated by state agencies from certain assessments; amending ss. 408.802 and 408.820, F.S.; conforming a provision to changes made by the act; amending s. 408.809, F.S.; adding additional disqualifying offenses to background screening provisions; amending s. 409.9122, F.S.; deleting a requirement that Medicaid recipients with HIV/AIDS be referred to a Health Maintenance Organization under contract with the agency; requiring Medicaid recipients diagnosed with HIV/AIDS be assigned to a managed care plan that is a health maintenance organization under ch. 641, F.S., that is under contract with the agency, and that offers a delivery system through a university-based teaching and research-oriented organization specializing in treating individuals with HIV/AIDS; amending s. 409.966, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 409.967, F.S.; requiring a managed care plan to permit enrollees to continue receiving certain drugs that are removed from the plan's formulary; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 429.07, F.S.; providing that an extended congregate care license is issued to certain facilities that have been licensed as assisted living facilities under certain circumstances; providing the purpose of an extended congregate care license; providing that the initial extended congregate care license of an assisted living facility is provisional under certain circumstances; requiring the licensee to notify the Agency for Health Care Administration whenever it accepts a resident who qualifies for extended congregate care services; requiring the agency to inspect the facility for compliance with the requirements of an extended congregate care license; authorizing the agency to waive one of the required yearly monitoring visits under certain circumstances; authorizing the agency to deny or revoke a facility's extended congregate care license for certain reasons or on certain grounds; requiring a registered nurse representing the agency to visit the facility at least annually, rather than twice a year, to monitor residents who are receiving limited nursing services; providing that the agency's monitoring visits may be in conjunction with other agency inspections; authorizing the agency to waive one of the required yearly monitoring visits for certain facilities; amending s. 429.075, F.S.; requiring an assisted living facility that serves one or more mental health residents to obtain a limited mental health license; amending s. 429.14, F.S.; revising the actions in which the agency may deny, revoke, or suspend the license of an assisted living facility and impose an administrative fine; revising the criteria upon which the agency must deny or revoke the license of an assisted living facility; requiring the agency to impose an immediate moratorium on the license of an assisted living facility under certain circumstances; deleting a provision requiring the agency to provide a list of facilities with denied, suspended, or revoked licenses to the Department of Business and Professional Regulation; exempting a facility from the 45-day notice requirement if it is required to relocate some or all of its residents; amending s. 429.178, F.S.; conforming cross-references; amending s. 429.19, F.S.; revising the amounts and uses of administrative fines; requiring the agency to levy a fine for violations that are corrected before

an inspection if noncompliance occurred within a specified period of time; deleting factors that the agency is required to consider to determine penalties and fines; amending s. 429.26, F.S.; providing that certain residents may be admitted to a standard licensed assisted living facility under certain circumstances; amending s. 429.28, F.S.; requiring that residents of facilities be informed that the identity of the resident and complainant in a complaint made to the State Long-Term Care Ombudsman Program is confidential and that retaliatory action cannot be taken against a resident for presenting grievances or for exercising any other resident right; providing that a facility that terminates an individual's residency is fined if good cause is not shown in court; amending s. 429.34, F.S.; requiring certain persons to report elder abuse in assisted living facilities; requiring the agency to regularly inspect every licensed assisted living facility; requiring the agency to conduct more frequent inspections under certain circumstances; requiring the licensee to pay a fee for the cost of additional inspections; requiring the agency to adjust the fee; amending s. 429.52, F.S.; requiring each newly hired employee of an assisted living facility to attend a preservice orientation provided by the assisted living facility; requiring the employee and administrator to sign an affidavit upon completion of the preservice orientation; requiring the assisted living facility to maintain the signed affidavit in each employee's work file; conforming a cross-reference; requiring the Agency for Health Care Administration to study the reliability of facility surveys and submit to the Governor and the Legislature its findings and recommendations; requiring the agency to propose a rating system of assisted living facilities for consumers and create content for the agency's website that makes available to consumers information regarding assisted living facilities; providing criteria for the content; amending s. 430.80, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; amending s. 435.04, F.S.; revising information to be submitted for a background screening; adding additional disqualifying offenses; amending s. 435.07, F.S.; revising terminology; requiring that individuals seeking an exemption from disqualification have completed all nonmonetary conditions imposed by the court for the disqualifying felony; requiring that all persons seeking an exemption from disqualification pay any court-ordered monetary penalty in full before being eligible to apply; amending s. 435.12, F.S.; requiring that a photograph of the person taken at the time the fingerprints are processed be submitted to the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; requiring specified information to be included with the initiation of the screening registration within the clearinghouse; amending s. 440.102, F.S.; revising certain drug-testing standards for laboratories; deleting a requirement that a laboratory comply with certain criteria to conduct an initial analysis of test specimens; deleting a monthly reporting requirement for laboratories; amending s. 440.13, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; creating s. 465.1902, F.S.; providing that regulation of the licensure, activity, and operation of pharmacies and pharmacists is preempted to the state; prohibiting a local government or political subdivision of the state from enacting or enforcing an ordinance that imposes a levy, charge, or fee upon, or that otherwise regulates, pharmacies and pharmacists, except for ordinances regarding local business taxes and land development; amending s. 499.003, F.S.; exempting prescription drugs transferred either directly or through a hospital's or health care entity's supplier or the manufacturer for the purpose of repackaging from the definition of the term "wholesale distribution"; amending s. 499.01, F.S.; requiring a permit for prescription drug repackagers located in other states who repack and distribute drugs for limited purposes into this state; amending s. 499.01212, F.S.; requiring pedigree papers for transfers pursuant to s. 499.003(54)(b)7., F.S., to include specified information; amending 499.041, F.S.; assessing an onsite inspection fee on a prescription drug repackager applicant or licensee located out of the state; amending ss. 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to certain accrediting organizations to conform to changes made by the act; creating s. 893.0552, F.S.; providing that regulation of the licensure, activity, and operation of pain-management clinics is preempted to the state under certain circumstances; authorizing a local government or political subdivision of the state to enact certain ordinances regarding local business taxes and land development; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for SB 984—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for certain information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the term “proprietary business information”; providing exceptions to the exemption; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Banking and Insurance; and Senator Hays—

CS for SB 1020—A bill to be entitled An act relating to banking; amending s. 655.005, F.S.; revising the definition for “related interest”; amending s. 655.85, F.S.; clarifying that an institution may impose a fee for the settlement of a check under certain circumstances; providing legislative intent; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Clemens—

CS for CS for SB 1028—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service providers and vendors to disclose certain information; providing for applicability; authorizing the department to adopt rules; providing an effective date.

By the Committees on Appropriations; and Children, Families, and Elder Affairs; and Senator Detert—

CS for SB 1036—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; providing that when the court obtains jurisdiction over a child who has been found to be dependent, the court retains jurisdiction until the child reaches 21 years of age; providing exceptions; amending s. 39.6013, F.S.; conforming a cross reference; creating s. 39.6035, F.S.; requiring the Department of Children and Families, the community-based care provider, and others to assist a child in developing a transition plan after the child reaches 17 years of age and requiring a meeting to develop the plan; specifying requirements and procedures for the transition plan; requiring periodic review of the transition plan; requiring the court to approve the transition plan before the child leaves foster care and the court terminates jurisdiction; creating s. 39.6251, F.S.; providing definitions; providing that a young adult may remain in foster care under certain circumstances after attaining 18 years of age; specifying criteria for extended foster care; providing that the permanency goal for a young adult who chooses to remain in care is transition from care to independent living; specifying dates for eligibility for a young adult to remain in extended foster care; providing for supervised living arrangements in extended foster care; authorizing a young adult to return to foster care under certain circumstances; specifying services that must be provided to the young adult; directing the court to retain jurisdiction and hold review hearings; amending s. 39.701, F.S.; revising judicial review of foster care cases; making technical changes; providing criteria for review hearings for children younger than 18 years of age; providing criteria for review hearings for children 17 years of age; requiring the department to verify that the child has certain documents; requiring the department to update the case plan; providing for review hearings for young adults in foster care; amending s. 409.145, F.S.; requiring the department to develop and implement a system of care for children in foster care; specifying the goals of the foster care system; requiring the department to assist foster care caregivers to achieve quality parenting; specifying the roles and responsibilities of caregivers, the department, and others; providing for transition from a caregiver; requiring information sharing; providing for the adoption and use of a “reasonable and prudent parent” standard; defining terms; providing for the application for the standard of care; providing for limiting liability of caregivers; specifying foster

care room and board rates; authorizing community-based care service providers to pay a supplemental monthly room and board payment to foster parents for providing certain services; directing the department to adopt rules; deleting obsolete provisions; amending s. 409.1451, F.S.; providing for the Road-to-Independence program; providing legislative findings and intent; providing for postsecondary services and supports; specifying aftercare services; providing for appeals of a determination of eligibility; providing for portability of services across county lines and between lead agencies; providing for accountability; creating the Independent Living Services Advisory Council; providing for membership and specifying the duties and functions of the council; requiring reports and recommendations; directing the department to adopt rules; amending s. 409.175; allowing for young adults remaining in care to be considered in total number of children placed in a foster home; amending s. 409.903, F.S.; conforming a cross-reference; directing the Department of Children and Families to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist young adults who have been or remain in the foster care system; providing for a transfer of services; directing the Department of Children and Families in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative to develop design training for caregivers; providing effective dates.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Stargel—

CS for CS for SB 1040—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring the collection of the motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 206.45, F.S.; providing for the collection and distribution of the inspection fee on motor fuel; amending s. 493.6101, F.S.; revising the definition of the term “repossession”; amending s. 493.6113, F.S.; requiring licensees to submit proof of recertification training to the Department of Agriculture and Consumer Services; providing that failure to submit proof of firearm recertification training will result in license suspension and nonrenewal; amending s. 493.6116, F.S.; removing a provision that prohibits firearm licensees from sponsoring certain interns; requiring interns to conduct regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; providing criminal penalties for providing fraudulent training certifications; conforming a cross-reference; amending s. 493.6120, F.S.; providing an exception to a penalty provision; amending s. 493.6121, F.S.; conforming a cross-reference; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; providing exemption from registration requirements for certain charitable organizations and sponsors; requiring exempt charitable organizations and sponsors that solicit donations to provide information to the department; providing that the burden of proving an exemption is on the entity claiming the exemption; limiting applicability of the registration exemption; amending s. 496.407, F.S.; providing that a charitable organization or sponsor may submit certain IRS forms and schedules in lieu of a financial report; amending s. 496.409, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by professional fundraising consultants; amending s. 496.410, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements, renewal statements, and reports by professional solicitors; amending s. 496.411, F.S.; deleting provisions that require registered charitable entities, sponsors, or solicitors to display the percentage retained from contributions; amending s. 496.415, F.S.; providing that it is unlawful to knowingly provide a misleading or inaccurate document relating to a solicitation or charitable promotion; providing criminal penalties; amending s. 496.419, F.S.; providing that certain violations constitute an immediate public threat and are grounds for suspending solicitation activities; requiring that the department report only substantiated criminal violations to a prosecuting authority; conforming cross-references; amending s. 501.016, F.S.; reducing the required security amount for health studios; amending s. 501.059, F.S.; prohibiting a person from making certain outbound telephonic sales calls; amending s. 501.603, F.S.; revising the definitions of the terms “commercial telephone solici-

tation” and “commercial telephone seller”; amending s. 501.604, F.S.; specifying that exemptions apply to telecommunications businesses and businesses that have operated lawfully; making technical and conforming changes; amending s. 501.607, F.S.; deleting the provision requiring commercial telephone salespersons to provide employment history to the department; amending s. 501.608, F.S.; requiring that commercial telephone sellers provide the department with certain documents to aid in determining eligibility for exemptions; requiring each commercial telephone seller operating under an exemption to display or make certain documents available for inspection; providing that failure to obtain or display certain documents is grounds for action against the commercial telephone seller; amending s. 501.611, F.S.; requiring a commercial telephone seller to maintain an active security bond throughout the period of licensure; amending s. 501.615, F.S.; revising the criteria for certain exempt telephonic sales; requiring a commercial telephone seller engaged in activities regulated by ch. 721 to comply with certain disclosure obligations; amending s. 501.617, F.S.; authorizing the department to conduct regulatory inspections of commercial telephone sellers; amending s. 507.03, F.S.; requiring moving brokers to provide the department with contact information for movers with whom they have contracted for services or are affiliated; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term “alternative fuels” for purposes of inspection requirements; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; eliminating the requirement that collected fees be paid into the treasury and distributed into a specified trust fund; conforming provisions; amending s. 525.16, F.S.; requiring entities that sell or distribute certain fuels to meet fuel standards adopted by the department; providing a release of liability for certain entities who supply and blend fuels that meet department standards; amending s. 526.141, F.S.; providing that certain entities are not liable for damages resulting from the incompatible use of motor fuels under certain circumstances; amending s. 527.01, F.S.; providing a definition for the term “license year” as it relates to the sale of petroleum gas; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the renewal procedure for certain licenses; amending s. 531.415, F.S.; conforming a cross-reference; amending s. 531.61, F.S.; exempting certain commercial weights and measures devices from permit requirements; conforming a cross-reference; amending chapter 2009-66, Laws of Florida; extending the expiration date of certain statutes related to commercial weights and measures; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring franchisors to provide notice of the franchise sale on a department promulgated form; amending s. 559.803, F.S.; deleting provisions allowing and requiring sellers of business opportunities to file federal disclosure statements with the department; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; repealing s. 559.807(2), F.S., relating to bonds or securities for business opportunity sellers; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; abrogating the enforcement and rulemaking authority of the Department of Agriculture and Consumer Services; amending s. 559.815, F.S.; conforming a cross-reference; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing for severability; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Brandes—

CS for CS for SB 1046—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person’s consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to

a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term “authorized inspection agency”; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring each insurance agency to be under the control of an agent licensed to transact certain lines of insurance; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing a definition for the term “agent in charge”; providing that the designated agent in charge is liable for certain acts of misconduct; providing grounds for the Department of Financial Services to order operations to cease at certain insurance agency locations until an agent in charge is properly designated; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer’s designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer’s designee; providing that administrator withdrawals from a fiduciary account be made according to specific written agreements; providing that an insurer’s designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer’s right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending s. 626.935, F.S.; conforming provisions to changes made by the act; amending s. 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers’ compensation

and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; providing legislative intent; establishing a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the corporation to offer specified deductible amounts for sinkhole loss coverage; amending s. 627.3519, F.S.; requiring the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation to provide an annual report to the Legislature and the Financial Services Commission of their respective aggregate net probable maximum losses, financing options, and potential assessments; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to the insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Department of Financial Services; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to the certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a fee for payments returned due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of

certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Hays—

CS for CS for SB 1074—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; requiring specified entities to submit an inventory of underused property; requiring the department to adopt rules; amending s. 216.043, F.S.; requiring state agencies to explain why available underused property is not sufficient to meet their needs when requesting fixed capital outlay projects; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; revising provisions requiring state entities to submit a plan if a building or parcel is offered for use to the entity; requiring the board to adopt rules; amending s. 255.248, F.S.; defining the terms "managing agency" and "tenant broker"; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underused space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption to allow certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts may be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending s. 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; creating s. 255.46, F.S.; creating the Underused Property Maximization Program in the Department of Management Services; providing legislative intent and definitions; requiring governmental entities to submit data and the department to establish an inventory of underused property; requiring governmental entities to consult such inventory and, if suitable, submit a business case to the entity that owns or occupies the property; providing for the disposition of underused property; requiring the Auditor General to include findings relating to compliance with this section in any audits; providing certain exemptions for the Board of Trustees of the Internal Improvement Trust Fund; requiring the department to adopt rules; report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committees on Appropriations; and Health Policy; and Senator Flores—

CS for CS for SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the submission of the report and imposition of the fine; providing an effective date.

By the Committees on Appropriations; Criminal Justice; and Transportation; and Senator Evers—

CS for CS for CS for SB 1110—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring the Governor to appoint one or more persons as special officers for a railroad or other common carrier under certain circumstances; authorizing the railroad or

common carrier to temporarily employ a person as a special officer; requiring the special officer to have the same training as a law enforcement officer; providing that a Class I, Class II, or Class III railroad is considered an “employing agency” for purposes of ss. 943.13 and 943.135(1), F.S.; providing responsibility of certain costs; amending s. 784.07, F.S.; defining the term “railroad special officer”; providing for reclassification of certain offenses committed against a railroad special officer; providing an effective date.

By the Committees on Rules; Governmental Oversight and Accountability; and Community Affairs; and Senators Simpson and Dean—

CS for CS for CS for SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; requiring fire officials to enforce Florida Building Code provisions for occupancy separation for certain structures with certain occupancies; exempting certain farming and ranching structures from the code; providing an effective date.

By the Committees on Community Affairs; Banking and Insurance; and Health Policy—

CS for CS for SB 1128—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms “health care coverage” or “health flex plan coverage” to include certain specified benefits; deleting the section’s expiration date; providing an effective date.

By the Committees on Appropriations; and Criminal Justice; and Senator Stargel—

CS for CS for SB 1140—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; repealing s. 569.0073, F.S., relating to the retail sale of certain smoking pipes and smoking devices; providing an effective date.

By the Committees on Appropriations; and Governmental Oversight and Accountability; and Senators Benacquisto and Brandes—

CS for CS for SB 1150—A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer’s intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; providing an exception; authorizing the Department of Financial to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.056, F.S.; deleting provisions requiring certain inclusions in

agency agreements; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term “performance measure”; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

By the Committees on Rules; Environmental Preservation and Conservation; and Health Policy; and Senator Bullard—

CS for CS for CS for SB 1160—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting provisions relating to the development of performance criteria applicable to engineer-designed systems; revising requirements for maintenance entity service agreements for certain engineer-designed systems; authorizing certain property owners to be approved and permitted as maintenance entities for performance-based treatment systems under certain conditions; requiring owners of performance-based treatment unit systems to obtain certain permits; requiring onsite sewage treatment and disposal systems to comply with rules of the Department of Environmental Protection and provide a certain level of treatment; providing that certain onsite sewage treatment and disposal systems in Monroe County installed after a specified date are not required to connect to a sewer until a specified date; providing for non-applicability; deleting a provision that requires a maintenance entity to obtain a system operating permit; authorizing the department to approve and permit a property owner of an owner-occupied, single-family residence as a maintenance entity for the property owner’s own aerobic treatment unit system under certain circumstances; requiring the maintenance entity service agreement to conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from certain contractor registration requirements; prohibiting a septic tank contractor from being denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities; providing that component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer’s specifications; requiring the maintenance entity to maintain documentation for a specified period of time and to provide the documentation to the department upon request; requiring owners of performance-based treatment unit systems to obtain certain permits; providing an effective date.

By the Committee on Judiciary; and Senator Bradley—

CS for SB 1166—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; providing an effective date.

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

CS for CS for SB 1188—A bill to be entitled An act relating to archaeological sites and specimens; amending s. 267.12, F.S.; providing a definition for “water authority”; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Community Affairs; and Senator Abruzzo—

CS for SB 1376—A bill to be entitled An act relating to motorist safety; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing a contingent effective date.

By the Committees on Appropriations; Rules; Community Affairs; and Ethics and Elections; and Senator Latvala—

CS for CS for CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “election” to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing that contributions received before a candidate changes his or her candidacy to a different office count towards the contribution limits for the newly designated office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circu-

lated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing appropriations; authorizing specified numbers of full-time equivalent positions with associated salary rates within the Florida Elections Commission and the Division of Elections; providing effective dates.

By the Committees on Health Policy; and Judiciary; and Senator Galvano—

CS for CS for SB 1384—A bill to be entitled An act relating to nursing home litigation; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of admissible evidence proffered by the parties which provides a reasonable basis for recovery of punitive damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient admissible evidence to ensure that there is a reasonable basis to believe that the claimant will be able to demonstrate by clear and convincing evidence that the recovery of punitive damages is appropriate; requiring the trier of fact to find by clear and convincing evidence that a specific person or corporate defendant actively and knowingly participated in intentional misconduct or engaged in conduct that constituted gross negligence and contributed to the loss, damages, or injury suffered by the claimant before punitive damages may be awarded; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to certain spe-

cified conduct before holding the licensee vicariously liable for punitive damages; providing an effective date.

By the Committees on Appropriations; and Transportation; and Senator Brandes—

CS for CS for SB 1458—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; providing legislative intent relating to road rage and traffic congestion; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.083, F.S.; requiring that an operator of a motor vehicle yield the furthestmost left-hand lane when being overtaken on a multilane highway; providing exceptions; reenacting s. 316.1923, F.S., relating to aggressive careless driving, to incorporate the amendments made to s. 316.083, F.S., in a reference thereto; requiring that the Department of Highway Safety and Motor Vehicles provide information about the act in driver license educational materials that are newly published on or after a specified date; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of a motor vehicle for refusal to pay penalty; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specific length; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance under the section; providing that displaying such information on an electronic device does not constitute consent for a law enforcement officer to access other information stored on the device; providing that the person displaying the device assumes the liability for any resulting damage to the device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner’s permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking an unapproved course; providing criteria for initial approval of courses; revising requirements for assessment fees, courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; establishing a pilot rebuilt motor vehicle inspection program; providing definitions; requiring the department to contract with private vendors to establish and operate inspection facilities in certain counties; providing minimum requirements for applicants; requiring the department to submit a report to the Legislature; providing for future repeal; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable motor vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; amending s. 320.03, F.S.; revis-

ing a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; providing a timeframe for course length; prohibiting a provider from charging for a completion certificate; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from certain students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual’s driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual’s driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing that a private entity may store or share personal information collected from swiping an individual’s driver license or identification card for the purpose of preventing fraud or other criminal activity against the private entity; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.18, F.S.; revising provisions for a vision test required for driver license renewal for certain drivers; amending s. 322.21, F.S.; making grammatical changes; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner’s permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person’s failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person’s driving privilege on a temporary basis when the person’s license and driving privilege have been revoked under certain circumstances; amending s. 322.2615, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; providing procedures for a driver to be issued a restricted license under certain circumstances; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of

subpoenas; amending s. 322.2616, F.S., relating to review of a license suspension when the driver is under 21 years of age and had blood or breath alcohol at a certain level; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.271, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing procedures for certain persons who have no previous convictions for certain alcohol-related driving offenses to be issued a driver license for business purposes only; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; revising the definition of a wrecker operator system; providing that an unauthorized wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a disabled motor vehicle certain information; requiring that the unauthorized wrecker operator provide such disclosure to the owner or operator of the disabled vehicle in the presence of a law enforcement officer if one is present at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to remove and impound an unauthorized wrecker, tow truck, or other motor vehicle from the scene of a disabled vehicle or wreck; authorizing the authority that caused the removal and impoundment to assess a cost-recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing for public sale of an impounded vehicle; providing fines for violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.585, F.S.; requiring that a lienholder check the National Motor Vehicle Title Information System or the records of any corre-

sponding agency of any other state before enforcing a lien by selling the motor vehicle; requiring the lienholder to notify the local law enforcement agency in writing by certified mail informing the law enforcement agency that the lienholder has made a good faith effort to locate the owner or lienholder; specifying that a good faith effort includes a check of the Department of Highway Safety and Motor Vehicles database records and the National Motor Vehicle Title Information System; setting requirements for notification of the sale of the vehicle as a way to enforce a lien; requiring the lienholder to publish notice; requiring the lienholder to keep a record of proof of checking the National Motor Vehicle Title Information System; amending s. 713.78, F.S.; revising provisions for enforcement of a lien for recovering, towing, or storing a vehicle or vessel; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

By the Committee on Appropriations; and Senator Lee—

CS for SB 1464—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising the definition of the term “reasonable offset for use”; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking recertification of a procedure or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

By the Committees on Community Affairs; and Communications, Energy, and Public Utilities; and Senators Legg, Latvala, Simpson, and Brandes—

CS for CS for SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; providing that a utility that elects not to complete construction of a nuclear power plant may not recover or retain any rate of return for related costs; requiring the Public Service Commission to review the circumstances surrounding a proposed nuclear power plant if the anticipated cost and completion date exceed the original cost and completion date by a certain amount or period; specifying factors to be considered and dates by which the review must commence and be completed; providing an effective date.

By the Committees on Judiciary; and Health Policy; and Senator Hays—

CS for CS for SB 1482—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Thrasher—

CS for CS for SB 1494—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may in-

tervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; defining the term “department”; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department’s power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing applicability; prohibiting a person knowing or having reason to believe that a subpoena is pending from tampering with evidence; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing an effective date.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator Bradley—

CS for CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency’s guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

By the Committees on Appropriations; and Agriculture; and Senator Montford—

CS for CS for SB 1628—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county

affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; establishing the Department of Agriculture and Consumer Services as the lead agency responsible for managing the Babcock Crescent B Ranch; amending s. 259.10521, F.S.; replacing the term “Babcock Crescent B Ranch” with the term “Babcock Ranch Preserve” for limited purposes; amending s. 259.1053, F.S.; deleting and revising provisions of the Babcock Ranch Preserve Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; revising definitions; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service of the Department of Agriculture and Consumer Services, subject to appropriation; directing the Fish and Wildlife Conservation Commission, in cooperation with the department, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon dissolution of Babcock Ranch, Inc.; providing a date for dissolution of the Babcock Ranch Advisory Group, subject to Legislative reenactment; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.087, F.S.; providing legislative findings; requiring the Department of Agriculture and Consumer Services to enter into a memorandum of agreement with the Fish and Wildlife Conservation Commission for the purpose of developing voluntary best management practices for this state’s agricultural industry; allowing for pilot projects; providing that the department has rulemaking authority for these purposes; requiring that rules provide for a notice of intent to implement these practices; emphasizing that implementation of the best management practices created pursuant to this section is voluntary; restricting the adoption or enforcement of any law regarding the best management practices created pursuant to this section; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department’s authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; authorizing the Department of Agriculture and Consumer Services to collect certain costs to be deposited into the General Inspection Trust Fund; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom

Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring and renumbering s. 570.072, F.S., relating to commodity distribution; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, F.S., relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; requiring each school district to electronically submit a revised local school wellness policy to the Department of Agriculture and Consumer Services and a revised physical education policy to the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

By the Committees on Judiciary; and Health Policy; and Senator Flores—

CS for CS for SB 1636—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term “born alive”; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Legg—

CS for CS for SB 1664—A bill to be entitled An act relating to education; amending s. 1004.04, F.S.; revising legislative intent; revising

the requirements of State Board of Education rule for uniform core curricula for state-approved teacher preparation programs; revising the process for initial approval of state-approved teacher preparation programs; revising the requirements for continued approval of state-approved teacher preparation programs; requiring the State Board of Education to adopt rules for continued approval of teacher preparation programs; requiring the Commissioner of Education to determine the continued approval of each program; providing requirements for a report that certain public and private institutions prepare regarding their teacher preparation programs; requiring the Department of Education to report to the Governor, the Legislature, the State Board of Education, the Board of Governors, the Commissioner of Education, each Florida postsecondary teacher preparation program, each district school superintendent, and the public the results of each approved program's annual progress and the current approval status of each program; revising the requirements for preservice field experience; amending s. 1004.85, F.S.; revising the definition of the term “educator preparation institute”; authorizing a qualified private provider to seek approval to offer a competency-based certification program; revising the criteria for approval of preparation programs; requiring the department to approve a certification program under certain circumstances; revising the requirements for program participants; revising the criteria for continued approval of programs; revising the requirements for personnel that participate in field experiences; providing requirements for measuring student performance in instructional personnel and school administrator performance evaluations; providing requirements for the performance evaluation of personnel for purposes of the performance salary schedule; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-mandated assessments and publish the schedules on its website; requiring reporting of the schedules to the Department of Education; amending s. 1012.05, F.S.; conforming provisions to changes made by the act; amending s. 1012.32, F.S.; conforming cross-references and conforming provisions to changes made by the act; amending s. 1012.55, F.S.; requiring the State Board of Education to adopt rules that allow an individual who meets specified criteria to be eligible for a temporary certificate in education leadership; amending s. 1012.56, F.S.; authorizing the State Board of Education to adopt rules that allow for the acceptance of college course credits recommended by the American Council for Education; revising the acceptable means of demonstrating mastery of professional preparation and education competence; authorizing a school district to provide a professional development certification program; specifying the components of the program; revising requirements for demonstrating mastery of professional education competence; requiring the Commissioner of Education to determine the continued approval of the programs; requiring the Department of Education to provide a review procedure for an applicant who fails a certification examination; requiring the applicant to bear the actual cost in order for the department to provide an examination review; amending s. 1012.585, F.S.; conforming a cross-reference; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing that the calculation of funds for each teacher includes local contributions; requiring that a teacher's proportionate share of funds be provided by any means determined appropriate, including a debit card; providing requirements for the debit card; authorizing the Department of Education and the district school boards to enter into public-private partnerships; deleting provisions relating to a pilot program established for the 2009-2010 fiscal year; amending s. 1012.98, F.S.; authorizing rather than requiring each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans; providing an effective date.

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

CS for CS for SB 1666—A bill to be entitled An act relating to mortgage foreclosures; amending s. 25.073, F.S.; limiting the eligibility of retired judges to receive compensation and reimbursement under certain circumstances; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to existing causes of action; providing that the amendments made by this act to s. 95.11, F.S., apply to any action commenced on or after July 1, 2013; amending s. 121.021, F.S.; defining terms; providing for the applicability of the term “termination”; amending s. 121.091, F.S.; providing that

between two specified dates, a retired justice or retired judge is not subject to certain limitations otherwise applicable to retired employees; amending s. 121.591, F.S.; providing that, between two specified dates, a retired justice or retired judge who returns to temporary employment as a senior judge in any court may continue to receive a distribution of his or her retirement account after providing proof of termination from his or her regularly established position; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for non-applicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing for construction and applicability; declaring that the act is remedial in nature and applies to all mortgages encumbering real property and all promissory notes secured by a mortgage, whether executed before, on, or after the effective date of this act; requiring that employer contribution rates be adjusted; providing a directive to the Division of Law Revision and Information; providing legislative findings; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing that certain specified provisions of the act take effect only if the Legislature appropriates a certain amount on a recurring basis to the judicial system and if the Governor does not veto the appropriation; providing that certain sections of the act stand repealed on a stated date; providing an effective date.

By the Committees on Appropriations; and Regulated Industries; and Senator Altman—

CS for CS for SB 1686—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur mixed martial arts matches; amending s. 548.007, F.S.; revising non-applicability of ch. 548, F.S.; repealing s. 548.015, F.S., which requires licensed concessionaires to obtain a security, to conform; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for

suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Bean—

CS for CS for SB 1690—A bill to be entitled An act relating to volunteer health services; amending s. 766.1115, F.S.; revising requirements for patient referral under the "Access to Health Care Act"; eliminating a requirement that the governmental contractor approve all follow-up or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that any rule adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; amending s. 458.317, F.S.; revising qualifications necessary to obtain a limited license to practice medicine; amending s. 459.0075, F.S.; revising qualifications necessary to obtain a limited license to practice osteopathic medicine; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senators Flores, Bullard, Margolis, and Diaz de la Portilla—

CS for CS for SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution and a state university in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be transferred into a specified account and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and requirements relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of each institution receiving surtax proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax; providing an effective date.

By the Committees on Rules; Governmental Oversight and Accountability; and Criminal Justice; and Senator Flores—

CS for CS for CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception, providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Appropriations; and Senator Negrón—

CS for SB 1750—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.40, F.S.; requiring the court to appoint the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; amending s. 27.51, F.S.; removing the court's authority to appoint a public defender to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.511, F.S., removing the court's authority to appoint the office of criminal conflict and civil regional counsel to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.5303, F.S., removing the court's authority to appoint a public defender to represent an indigent person convicted and sentenced to death in clemency proceedings; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.7001, F.S.; removing legislative intent language indicating that collateral representation of persons convicted and sentenced to death

should not include representation during clemency proceedings; repealing s. 27.701(2), F.S., relating to a pilot project using registry attorneys to provide capital collateral counsel services in the northern regions of the Capital Collateral Regional Counsel; amending s. 27.702, F.S., authorizing the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking an action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for five years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to meet certain criteria; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager and requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.052, F.S.; requiring the sheriff to send a copy of the conviction and sentence to the Governor and the clerk of the Florida Supreme Court; directing the clerk to inform the Governor in writing certifying that a person convicted and sentenced to death has completed the applicable proceedings or has allowed the time permitted for filing a habeas corpus petition in federal court to expire; requiring the Governor to issue a warrant of execution within a specified period of time; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Florida Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; creating legislative intent regarding postconviction proceedings in capital cases; creating s. 940.031, F.S.; requiring the Governor and Cabinet, sitting as the Board of Executive Clemency, to appoint counsel to represent a person sentenced to death for relief by executive clemency; providing for a limitation on attorney fees and costs; requiring the Board to maintain a list of counsel available for appointment; repealing sections 924.058, 924.059, and 924.395, F.S.; relating to postconviction capital case proceedings; providing for severability; providing an effective date.

By the Committees on Appropriations; and Appropriations—

CS for SB 1828—A bill to be entitled An act relating to tax administration; amending s. 125.0104, F.S.; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of "phosphate-related expenses" for the purpose of distributing certain tax proceeds; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.0305, F.S.; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of

criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term "person"; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zipper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

By the Committees on Rules; Community Affairs; and Military and Veterans Affairs, Space, and Domestic Security—

CS for CS for SB 1840—A bill to be entitled An act relating to development permits; amending s. 125.022, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 166.033, F.S.; conforming provisions to changes made by the act; amending s. 381.0065, F.S.; revising treatment standards for onsite sewage and disposal systems in Monroe County; requiring areas in Monroe County not served by certain sewage and disposal systems to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems in Monroe County to meet specified standards; authorizing certain property owners in Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection or by a water management district for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; amending chapter 2012-205, Laws of Florida; revising the deadline for the holder of certain permits to notify the authorizing agency of automatic extension eligibility; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance—

CS for SB 1842—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and perform market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending s. 624.34, F.S.; conforming provisions to changes made by this act with respect to the registration of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s.

626.995, F.S.; providing the scope of part XII, ch. 626, F.S.; creating s. 626.9951, F.S.; providing definitions; creating s. 626.9952, F.S.; requiring the registration of navigators with the Department of Financial Services; providing the purpose for such registration; creating s. 626.9953, F.S.; providing qualifications for registration; providing for submission of a written application; specifying fees; requiring an applicant to submit fingerprints and pay a processing fee; creating s. 626.9954, F.S.; specifying criteria for disqualification from registration; authorizing the department to adopt rules establishing disqualifying time periods; creating s. 626.9955, F.S.; requiring the department to have a publicly available list of navigators and to report certain information to the exchange; creating s. 626.9956, F.S.; requiring a navigator to notify the department of a change of specified identifying information; creating s. 626.9957, F.S.; prohibiting specified conduct; providing grounds for denial, suspension, or revocation of registration; providing for administrative fines and other disciplinary actions; creating s. 626.9958, F.S.; authorizing the department to adopt rules; amending s. 627.402, F.S.; providing definitions for “grandfathered health plan,” “nongrandfathered health plan,” and “PPACA”; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; requiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6675, F.S.; specifying conditions for nonrenewal of a conversion policy; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by the office; providing for future repeal of this provision; amending s. 641.3922, F.S.; specifying conditions for nonrenewal of a health maintenance organization conversion contract; providing an appropriation; providing effective dates.

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

CS for SB 1868—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing

agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Judiciary; and Senator Bradley—

CS for SB 1166—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; providing an effective date.

—was placed on the Calendar.

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

CS for CS for SB 1666—A bill to be entitled An act relating to mortgage foreclosures; amending s. 25.073, F.S.; limiting the eligibility of retired judges to receive compensation and reimbursement under certain circumstances; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to existing causes of action; providing that the amendments made by this act to s. 95.11, F.S., apply to any action commenced on or after July 1, 2013; amending s. 121.021, F.S.; defining terms; providing for the applicability of the term “termination”; amending s. 121.091, F.S.; providing that between two specified dates, a retired justice or retired judge is not subject to certain limitations otherwise applicable to retired employees; amending s. 121.591, F.S.; providing that, between two specified dates, a retired justice or retired judge who returns to temporary employment as a senior judge in any court may continue to receive a distribution of his or her retirement account after providing proof of termination from his or her regularly established position; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for non-applicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term “lienholder”; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing for construction and applicability; declaring that the act is remedial in nature and applies to all mortgages en-

cumbering real property and all promissory notes secured by a mortgage, whether executed before, on, or after the effective date of this act; requiring that employer contribution rates be adjusted; providing a directive to the Division of Law Revision and Information; providing legislative findings; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing that certain specified provisions of the act take effect only if the Legislature appropriates a certain amount on a recurring basis to the judicial system and if the Governor does not veto the appropriation; providing that certain sections of the act stand repealed on a stated date; providing an effective date.

—was referred to the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for CS for SB 1076**, which he approved on April 22, 2013.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 93, HB 265, CS for HB 311, CS for CS for CS for HB 333, CS for HB 341, CS for HB 357, CS for CS for HB 383, CS for HB 423, CS for HB 441, CS for CS for HB 457, CS for CS for CS for HB 489, CS for CS for HB 493, CS for HB 495, CS for CS for HB 537, CS for CS for HB 553, CS for HB 571, CS for CS for CS for HB 573, CS for CS for HB 579, CS for HB 607, CS for CS for HB 617, CS for HB 633, CS for HB 663, CS for CS for HB 665, CS for CS for HB 667, HB 685, CS for CS for HB 691, CS for HB 695, CS for HB 705, HB 725, HB 757, CS for CS for CS for HB 803, HB 875, HB 913, CS for CS for HB 935, CS for HB 953, CS for CS for HB 1005, CS for HB 1173, CS for CS for HB 1355, HB 4001, HB 4013, CS for CS for CS for HB 7005, CS for HB 7031, HB 7035, CS for HB 7051, HB 7149; has passed as amended CS for CS for CS for HB 73, CS for HB 353, CS for CS for HB 365, CS for CS for CS for HB 375, CS for HB 415, CS for CS for HB 635, CS for HB 671, HB 727, CS for HB 851, CS for CS for CS for HB 1129, HB 1157, CS for CS for HB 7023; has passed by the required constitutional two-thirds vote of the membership CS for CS for HB 277; has passed by the required constitutional two-thirds vote of the members voting CS for HB 649, CS for HB 1075, HB 1297; has passed as amended by the required constitutional two-thirds vote of the members voting CS for HB 731 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Healthy Families Subcommittee and Representative(s) Reed, Berman, Campbell, Jones, M., Pafford, Pritchett, Rader, Torres—

CS for HB 93—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homelessness assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16,

F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; Rules; and Appropriations.

By Representative(s) Wood, Goodson, Rehwinkel Vasilinda—

HB 265—A bill to be entitled An act relating to the Florida Wildflower license plate; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising the amount of proceeds from the sale of the plate that may be used to pay certain costs; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Justice Appropriations Subcommittee and Representative(s) Ray—

CS for HB 311—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By State Affairs Committee, Veteran & Military Affairs Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Steube, Ahern, Baxley, Broxson, Campbell, Gaetz, Mayfield, Nelson, O'Toole, Pigman, Raburn, Smith, Van Zant, Watson, C.—

CS for CS for CS for HB 333—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term "navigation rules" for purposes of provisions relating to vessels; amending s. 328.72, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; amending s. 379.101, F.S.; revising the definition of the term "resident" or "resident of Florida" for purposes of provisions relating to recreational and nonrecreational activity licenses; providing for certain evidence of residence; revising the definition of the term "resident alien" to remove a county residency requirement; amending s. 379.353, F.S.; exempting specified persons participating in certain outdoor recreational events from requirements for hunting and fishing licenses and permits; amending s. 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a saltwater products license; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Regulatory Affairs Committee and Representative(s) Ingram, Mayfield—

CS for HB 341—A bill to be entitled An act relating to uninsured motorist insurance coverage; amending s. 627.727, F.S.; providing that, under certain circumstances, specified persons who elect non-stacking

limitations on their uninsured motorist insurance coverage are conclusively presumed to have made an informed, knowing acceptance of the limitations on behalf of all insureds; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Economic Development & Tourism Subcommittee and Representative(s) Boyd, Combee—

CS for HB 357—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring the department to convene a meeting when requested by a certain manufacturer; requiring participating agencies to attend meetings convened by the department; specifying that the department is not required, but is authorized, to mediate between the participating agencies and a manufacturer; providing that the department shall not be party to certain proceedings; requiring that the coordinated approval process have no effect on the department's approval of economic development incentives; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; authorizing the department to adopt rules; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Hudson, Broxson, Santiago—

CS for CS for HB 383—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; authorizing the Commissioner of Insurance to designate a person to represent the state on the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rule-making functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation, the

commissioner, or the commissioner's designee are subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided by the act; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; providing for applicability with respect to taxation of the commission; providing for applicability and process with respect to certain requests for inspection and copying of information, data, or records; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Agriculture & Natural Resources Subcommittee and Representative(s) Adkins, Beshears, Pigman, Rodrigues, R.—

CS for HB 423—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing an exception to sales tax for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.0501, F.S.; providing an exception from sales tax collected by a licensed sales tax dealer for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.08, F.S.; providing a sales tax exemption for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Choice & Innovation Subcommittee and Representative(s) Adkins—

CS for HB 441—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising provisions to be included in the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information for program and program activities to the Legislature and the public; deleting legislative intent language; requiring implementation of an accountability system to ensure client needs are met; requiring the department and Department of Education to submit an annual report that includes data on program costs and effectiveness and student achievement and recommendations for elimination or modification of programs; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing and assist juvenile justice

education programs with becoming high school equivalency testing centers; revising requirements for an accountability system all juvenile justice education programs; revising requirements to district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program shall be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; correcting a cross-reference; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; deleting a requirement for an annual report; requiring data collection; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Criminal Justice; Education; and Rules.

By Business & Professional Regulation Subcommittee, Civil Justice Subcommittee and Representative(s) Magar—

CS for CS for HB 457—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term "payment instrument"; applying certain provisions relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

By Judiciary Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Stone, Baxley, Hood, Pilon, Van Zant—

CS for CS for CS for HB 489—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; authorizing the temporary appointment of special officers who meet certain qualifications; requiring special officers employed by a railroad or other common carrier to have specified qualifications and meet specified continuing training or education requirements; providing that a Class I, Class II, or Class III railroad shall be considered an employing agency for specified purposes and shall pay costs associated with training and continuing education; amending s. 784.07, F.S.; defining the term "railroad special officer"; providing for reclassification of certain offenses committed against a railroad special officer; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Fitzenhagen—

CS for CS for HB 493—A bill to be entitled An act relating to security of protected consumer information; creating s. 501.0051, F.S.; providing definitions; authorizing the representative of a protected consumer to place a security freeze; requiring a consumer reporting agency to establish a record if the protected consumer does not have an existing consumer report; requiring a consumer reporting agency to provide written confirmation of a security freeze within a specified period; prohibiting a consumer reporting agency from stating or implying that a security freeze reflects a negative credit history or rating; requiring a consumer reporting agency to remove a security freeze under specified conditions; providing for applicability; authorizing a consumer reporting agency to charge a fee for placing or removing a security freeze and for reissuing personal identification information; prohibiting a fee under certain circumstances; requiring written notification to change specified information in a protected consumer's record; providing exemptions; requiring a consumer reporting agency to notify a representative and provide specified information if the consumer reporting agency violates a security freeze; providing penalties and civil remedies; providing written disclosure requirements for consumer reporting agencies relating to protected consumer security freezes; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

By Finance & Tax Subcommittee and Representative(s) Raulerson—

CS for HB 495—A bill to be entitled An act relating to the certified audit program; amending s. 213.21, F.S.; revising the amounts of interest liability that the Department of Revenue may abate for taxpayers participating in the certified audit program; authorizing a taxpayer to participate in the certified audit program after the department has issued notice of intent to conduct an audit of the taxpayer; amending s. 213.285, F.S.; conforming provisions; authorizing the department to initiate a certified audit program for specified taxes administered by the department; revising procedures, deadlines, and notice requirements for certified audits; authorizing the department to adopt rules prohibiting a qualified practitioner from representing a taxpayer in informal conference procedures under certain circumstances; amending s. 213.053, F.S.; conforming terminology; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Local & Federal Affairs Committee, Economic Development & Tourism Subcommittee and Representative(s) Moraitis, Rogers—

CS for CS for HB 537—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Commerce and Tourism; and Rules.

By Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Hager—

CS for CS for HB 553—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition for purposes of workers' compensation; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a

help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; correcting cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Roberson, K., Pilon, Slosberg—

CS for HB 571—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to the performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; and Rules.

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Hooper, Edwards, Fasano, Mayfield, Santiago, Wood—

CS for CS for CS for HB 573—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and manufactured homes and related structures for a specified minimum insured value; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

—was referred to the Committees on Banking and Insurance; Regulated Industries; Appropriations; and Rules.

By Regulatory Affairs Committee, Energy & Utilities Subcommittee and Representative(s) Ray, Albritton, Baxley, Dudley, Hood, Raburn, Rodrigues, R., Santiago, Smith, Stone, Van Zant—

CS for CS for HB 579—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms "alternative fuel" and "natural gasoline"; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain license violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas

fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas and natural gas fuel under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring submission of the report to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Civil Justice Subcommittee and Representative(s) Rogers, Bracy, Campbell, Coley—

CS for HB 607—A bill to be entitled An act relating to canned or perishable food distributed free of charge; amending s. 768.136, F.S.; limiting the liability of public schools with respect to the donation of canned or perishable food to charitable or nonprofit organizations; revising a definition; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; and Judiciary.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Pilon, Campbell, Hood—

CS for CS for HB 617—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Finance & Tax Subcommittee and Representative(s) Perry, Watson, C.—

CS for HB 633—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts that manufacture biodiesel fuel from certain reporting, bonding, and licensing requirements; amending s. 206.874, F.S.; requiring municipalities, counties, and school districts that manufacture biodiesel fuel to file certain returns and remit certain taxes; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Economic Development & Tourism Subcommittee and Representative(s) Hudson, Combee, Fasano, Porter, Van Zant—

CS for HB 663—A bill to be entitled An act relating to the Economic Gardening Technical Assistance Program; amending s. 288.1082, F.S.; expanding the Economic Gardening Technical Assistance Pilot Program

into a statewide program; requiring the Department of Economic Opportunity to contract with the Florida Economic Gardening Institute at the University of Central Florida to administer the program; revising and providing eligibility requirements for the program; providing definitions; amending s. 288.1081, F.S.; conforming references to the Economic Gardening Technical Assistance Pilot Program to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) La Rosa, Hutson, Workman—

CS for CS for HB 665—A bill to be entitled An act relating to licensure by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; requiring certain licensees to submit live-scan fingerprints before the next renewal period; amending s. 560.143, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Banking and Insurance; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Rulemaking Oversight & Repeal Subcommittee, Business & Professional Regulation Subcommittee and Representative(s) Porter—

CS for CS for HB 667—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term "supervisory appraiser"; amending s. 475.612, F.S.; conforming a provision to changes made by the act; amending s. 475.615, F.S.; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Representative(s) McBurney, Eagle, Mayfield, Pilon, Van Zant—

HB 685—A bill to be entitled An act relating to parole interview dates for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing specified crimes; requiring a periodic parole interview for an inmate convicted of kidnapping or attempted kidnapping or robbery, burglary of a dwelling, burglary of a structure or conveyance, or breaking and entering, or the attempt thereof of any of these crimes, in which a human being is present and a sexual act is attempted or completed; reenacting s. 947.165(1), F.S., re-

lating to objective parole guidelines, to incorporate the amendment made by this act to s. 947.1745, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Ahern, Grant, Smith—

CS for CS for HB 691—A bill to be entitled An act relating to personal identification theft; creating s. 817.5685, F.S.; defining the term "personal identification information"; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; providing criminal penalties; providing that possession of identification information of multiple individuals gives rise to an inference of illegality; providing enhanced criminal penalties for possession of such information of multiple persons; providing exemptions; providing that the section does not preclude the prosecution for the unlawful possession of personal identification information of another person under any other law; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Business & Professional Regulation Subcommittee and Representative(s) Holder—

CS for HB 695—A bill to be entitled An act relating to tied house regulation; amending s. 561.42, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to impose administrative sanctions for violations of specified provisions of the Beverage Law under certain circumstances; prohibiting licensees from possessing or using certain coupons for malt beverages; removing a provision prohibiting distributors of beer from furnishing certain coupons to consumers; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Economic Development & Tourism Subcommittee and Representative(s) Workman—

CS for HB 705—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute's reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; providing for certain administrative costs of the fund; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Appropriations.

By Representative(s) Harrell—

HB 725—A bill to be entitled An act relating to public records and public meetings exemptions; amending s. 383.412, F.S.; eliminating requirements that the closed portion of a meeting of the State Child Abuse Death Review Committee or a local committee at which specified iden-

tifying information is discussed be recorded, that no portion of such closed meeting be off the record, and that the recording be maintained by the state committee or a local committee; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Rules.

By Representative(s) Hood, Campbell, Edwards, Van Zant—

HB 757—A bill to be entitled An act relating to mandatory reports of child abuse; amending s. 39.201, F.S.; limiting the duty of an officer or employee of a law enforcement agency to provide notice to the Department of Children and Families of reasonable cause to suspect child abuse under certain circumstances; limiting the duty of the Central Abuse Hotline to electronically transfer certain calls and reports to the county sheriff's office under certain circumstances; providing applicability; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Education Committee, Education Appropriations Subcommittee, Choice & Innovation Subcommittee and Representative(s) Lee, Danish, Harrell—

CS for CS for CS for HB 803—A bill to be entitled An act relating to the Literacy Jump Start Pilot Project; requiring the Department of Education to establish the pilot project in St. Lucie County to assist low-income, at-risk children in developing emergent literacy skills; requiring the department to select an organization to implement the pilot project; requiring the Office of Early Learning to oversee implementation of the pilot project; providing eligibility requirements for participation; requiring background screening for instructors, volunteers, and non-instructional personnel who make direct contact with children; requiring emergent literacy training for instructors; encouraging the coordination of basic health screening and immunization services in conjunction with emergent literacy instruction; requiring annual submission of an accountability report; requiring the department to allocate funds for the pilot project; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Representative(s) Workman, Harrell—

HB 875—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing an exception; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; creating s. 493.631, F.S.; defining terms; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances; providing procedures and requirements with respect thereto; authorizing the security officer or security agency manager to search the person detained under certain circumstances; providing identification requirements for certain licensed security officers and security agency managers; providing immunity to law enforcement officers, licensed security officers, and licensed security agency managers under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Representative(s) Bileca, Rader, Diaz, J., McKeel, Stark—

HB 913—A bill to be entitled An act relating to the Holocaust Victims Assistance Act; amending s. 626.9543, F.S.; revising the short title; broadening the act to include financial claims and assets and other property, and to address the effect of nonpayment of claims or nonreturn of property on victims; deleting a time limitation on insurers for providing certain information to the Department of Financial Services and

requiring insurers to provide a report under certain circumstances; revising the content and timing of the annual report to the Legislature; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Young—

CS for CS for HB 935—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; providing for contingent effect; providing a definition; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department's power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing for construction; prohibiting specified actions by a person knowing or having reason to believe that a subpoena is pending; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising terminology; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing effective dates.

—was referred to the Committees on Judiciary; and Rules.

By Criminal Justice Subcommittee and Representative(s) Nuñez, Pilon, Van Zant—

CS for HB 953—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term "electronic signature"; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term "electronic signature"; providing an effective date.

—was referred to the Committees on Judiciary; and Criminal Justice.

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee and Representative(s) Slosberg, Kerner, Pigman, Rooney—

CS for CS for HB 1005—A bill to be entitled An act relating to motorist safety; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing a contingent effective date.

—was referred to the Committees on Community Affairs; Health Policy; and Judiciary.

By Criminal Justice Subcommittee and Representative(s) Spano, Harrell, Pilon, Van Zant—

CS for HB 1173—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; providing a limitations period for civil and criminal actions under that act; providing that in a criminal proceeding the period does not run during any time the defendant is absent from the state or without a reasonably ascertainable place of abode or work within the state; limiting the amount of such an exception; amending s. 921.0022, F.S.; reclassifying the offense of communications fraud with a value greater than \$50,000 on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Watson, B., Campbell, Edwards, Kerner, Metz, Pilon, Stafford—

CS for CS for HB 1355—A bill to be entitled An act relating to the purchase of firearms by mentally ill persons; amending s. 790.065, F.S.; providing conditions under which a person who has been voluntarily admitted to a mental institution for treatment and has undergone an involuntary examination under the Baker Act may be prohibited from purchasing a firearm; providing requirements for the examining physician; providing for judicial review of certain findings; providing specified notice requirements; providing form and contents of notice; providing requirements with respect to the filing of specified records with the court and presentation of such records to a judge or magistrate; providing lawful authority of a judge or magistrate to review specified records and order that such records be submitted to the Department of Law Enforcement; providing a timeframe for submission of records to the department upon order by a judge or magistrate; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Rules.

By Representative(s) Gaetz, Perry, Ahern, Artiles, Brodeur, Coley, Combee, Edwards, Hood, Ingram, O'Toole, Steube, Stone, Wood, Workman—

HB 4001—A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all ga-

soline offered for sale in this state include a percentage of ethanol, subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation.

By Representative(s) Santiago, Magar—

HB 4013—A bill to be entitled An act relating to tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting caps on tax refunds for qualified defense contractors and space flight businesses and for qualified target industry businesses; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Judiciary Committee, Justice Appropriations Subcommittee, Health Quality Subcommittee, Criminal Justice Subcommittee and Representative(s) Kerner, Adkins, Gaetz, Hood, Pilon, Raschein, Saunders, Slosberg, Spano—

CS for CS for CS for HB 7005—A bill to be entitled An act relating to massage establishments; amending s. 480.033, F.S.; revising the definition of the term "board-approved massage school"; amending s. 480.046, F.S.; providing additional grounds for the denial of a license or disciplinary action; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing penalties; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Health Policy; and Appropriations.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Harrell, McBurney, Pilon—

CS for HB 7031—A bill to be entitled An act relating to sex offenses; amending s. 90.803, F.S.; providing that an out-of-court statement by a child victim with a physical, mental, emotional, or developmental age of 16 or less rather than 11 or less describing specified criminal acts is admissible in evidence in certain instances; amending s. 775.21, F.S.; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; conforming provisions; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a specified period after such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified period; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 800.03, F.S.; providing enhanced penalties for third or subsequent indecent exposure violations; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional sexual offender registration information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period must report specified information to the local sheriff's office within a

specified period of such change with confirmation that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; providing additional requirements for sexual offenders intending to reside outside of the United States; revising criteria applicable to provisions allowing removal from the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 943.04351, F.S.; requiring a specified national search of registration information regarding sexual predators and sexual offenders before appointment or employment of persons by state agencies and governmental subdivisions; amending s. 943.04354, F.S.; revising the criteria applicable to provisions allowing removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; replacing the term "instant message name" with the term "Internet identifier"; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; replacing the definition of the term "instant message name" with the definition of the term "Internet identifier"; conforming provisions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 947.005, F.S.; revising the definition of the term "risk assessment"; amending s. 948.31, F.S.; authorizing the court to require sexual offenders and sexual predators who are on probation or community control to undergo an evaluation to determine whether the offender or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 921.0022, F.S.; correcting references; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Eagle, Gaetz, Pilon, Trujillo—

HB 7035—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court may consider when ordering pretrial detention; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Education Committee, Higher Education & Workforce Subcommittee and Representative(s) Nuñez, Ahern, Campbell, Cummings, Hood, Peters, Rogers—

CS for HB 7051—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; revising the definitions of the terms "dependent child" and "parent"; revising certain residency requirements for a dependent child; prohibiting denial of classification as a resident for tuition purposes based on certain immigration status; revising provisions relating to required documentation as evidence of residency; revising requirements relating to classification or reclassification as a resident for tuition purposes based on marriage; revising requirements relating to reevaluation of classification as a resident for tuition purposes; providing that certain veterans of the Armed Services of the United States and persons who receive certain tuition exemptions or waivers shall be classified as residents for tuition purposes; providing for the adoption of rules and regulations; providing an effective date.

—was referred to the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

By Appropriations Committee and Representative(s) McKeel—

HB 7149—A bill to be entitled An act relating to education capital outlay; amending s. 1001.706, F.S.; deleting the requirement that the

Board of Governors prepare a campus development agreement; amending s. 1009.24, F.S.; increasing the cap on the university Capital Improvement Trust Fund fee; revising the amount of the technology fee and allowing the fee to be used for technology-related facilities; amending s. 1010.62, F.S.; adding public-private partnership agreements to the definition of university debt; allowing the technology fee and sales and services of education departments to be used to secure revenue bonds; increasing the cap on the amount of athletic fees that may be used to secure revenue bonds; allowing revenues from royalties and licensing and auxiliary enterprise revenues to be used to secure debt for academic, educational, and research facilities that are part of a multipurpose project; allowing academic and educational facilities to be bonded without legislative approval of the specific project; amending s. 1013.30, F.S.; deleting university campus development agreements and requirements thereof; requiring a university campus master plan to identify the level-of-service standard established by the local government and the entity that will provide the service to the campus; deleting a requirement relating to verification of campus master plan regulations; amending s. 1013.33, F.S.; conforming provisions; amending s. 1013.64, F.S.; increasing the cap on certain appropriated funds a university board of trustees may utilize for minor projects; amending s. 1013.74, F.S.; increasing the cap on funds a university may use from nonstate revenue sources to construct new facilities or remodel existing facilities; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; Appropriations; and Rules.

By Judiciary Committee, Business & Professional Regulation Subcommittee, Civil Justice Subcommittee and Representative(s) Moraitis, Passidomo—

CS for CS for CS for HB 73—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a condominium association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts be-

tween primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; providing requirements for the maintenance of the official records of the association; authorizing records to be made available to unit owners in an electronic format; providing a civil penalty for the denial of a request to view records; requiring an association to allow a member or the member's authorized representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or authorized representative for using the portable device; authorizing a cooperative association to print and distribute a member directory under certain conditions; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a homeowners' association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Harrell, Edwards, Pilon—

CS for HB 353—A bill to be entitled An act relating to juvenile justice; creating s. 985.702, F.S.; providing definitions; providing for the imposition of criminal penalties against specified employees who inflict cruel or inhuman treatment upon juvenile offenders; providing enhanced penalties for such treatment that results in great bodily harm, permanent disability, or permanent disfigurement to a juvenile offender; specifying that such conduct constitutes sufficient cause for an employee's dismissal from employment; prohibiting such employee from future employment with the juvenile justice system; providing incident reporting requirements; prohibiting an employee who witnesses such an

incident from knowingly or willfully failing to report; prohibiting false reporting, preventing another from reporting, or coercing another to alter testimony or reports; providing penalties; amending s. 985.701, F.S.; defining the term "juvenile offender" for purposes of prohibiting sexual misconduct with juvenile offenders; repealing s. 945.75, F.S.; deleting a requirement that the Department of Corrections and counties develop programs under which a judge may order juveniles who have committed delinquent acts to tour correctional facilities; repealing s. 985.105, F.S., relating to the creation, duties, and qualifications of the youth custody officer position within the Department of Juvenile Justice; amending s. 121.0515, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Hudson, Jones, S., Ahern, Albritton, Brodeur, Caldwell, Gibbons, Hooper, Hutson, Oliva, Peters, Pigman, Raulerson—

CS for CS for HB 365—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By State Affairs Committee, Health Quality Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Roberson, K.—

CS for CS for CS for HB 375—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting provisions relating to the development of performance criteria applicable to engineer-designed systems; revising requirements for maintenance entity service agreements for certain engineer-designed systems; authorizing certain property owners to be approved and permitted as maintenance entities for performance-based treatment systems under certain conditions; requiring owners of performance-based treatment unit systems to obtain certain permits; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; deleting a requirement for maintenance entities to obtain certain permits; authorizing electronic submission of certain reports; authorizing certain property owners to be approved and permitted as maintenance entities for aerobic treatment unit systems under certain conditions; providing requirements for such maintenance entity service agreements; prohibiting manufacturers from denying certain septic tank contractors access to aerobic treatment unit system training and spare parts; authorizing certain replacement parts for aerobic treatment unit systems; requiring maintenance entities to maintain documentation for such replacement parts; requiring owners of aerobic treatment unit systems to obtain certain permits; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Environmental Preservation and Conservation; and Rules.

By Economic Development & Tourism Subcommittee and Representative(s) Hutson—

CS for HB 415—A bill to be entitled An act relating to brownfields; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; authorizing local governments to use a term other than "brownfield area" when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Edwards—

CS for CS for HB 635—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising the date of the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for misconduct and violations committed by the licensee and any person under his or her supervision; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an in-

urance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer's designee; requiring administrator withdrawals from a fiduciary account to be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending ss. 626.935 and 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; requiring the corporation to establish a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the offering by the corporation of specified deductible amounts for sinkhole loss coverage; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation pro-

gram; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.782, F.S.; revising the date by which title insurance agencies and certain insurers must annually submit specified information to the Office of Insurance Regulation; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a charge for payments returned, declined, or unable to be processed due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing effective dates.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Health & Human Services Committee and Representative(s) Hutson, Campbell, Tobia—

CS for HB 671—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; revising the number of registered pharmacy technicians that a pharmacist may supervise; amending ss. 456.42 and 893.04, F.S.; requiring written prescriptions for specified controlled substances to be legibly dated in a specified format; providing an effective date.

—was referred to the Committees on Health Policy; Regulated Industries; and Rules.

By Representative(s) Caldwell—

HB 727—A bill to be entitled An act relating to liens on personal property in self-service storage facilities and self-contained storage units; amending s. 83.806, F.S.; revising notice requirements for enforcement of liens by the owner of the self-service storage facility or self-contained storage unit; specifying a limit on the value of property stored in the tenant's storage unit; authorizing the towing of a vehicle in a storage unit under certain circumstances; limiting the liability of the owner of a self-service storage facility or self-contained storage unit after a vehicle is towed from such facility or unit; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Rules.

By Criminal Justice Subcommittee and Representative(s) Moskowitz, Edwards, Gaetz, Harrell, O'Toole, Patronis, Pilon, Stewart, Torres—

CS for HB 851—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; specifying that a person who owns or has custody or control of any animal and fails to act commits aggravated

animal cruelty if certain injuries or death result; creating s. 828.1615, F.S.; prohibiting specific acts relating to dyeing or artificially coloring certain animals; prohibiting persons from selling, offering for sale, or giving away as merchandising premiums specified fowl or rabbits to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; amending s. 828.27, F.S.; providing for additional uses by certain counties of proceeds of surcharges on animal control or cruelty violations; providing for expiration; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term "racketeering activity" for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

—was referred to the Committees on Agriculture; and Criminal Justice.

By Health & Human Services Committee, Civil Justice Subcommittee, Health Quality Subcommittee and Representative(s) Pigman, Rodrigues, R., Ahern, Albritton, Baxley, Campbell, Combee, Cummings, Davis, Eagle, Fasano, Fresen, Hood, Hudson, Hutson, Mayfield, Metz, Moraitis, Porter, Raulerson, Renuart, Spano, Stone, Trujillo, Van Zant—

CS for CS for CS for HB 1129—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term "born alive"; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

—was referred to the Committees on Health Policy; Judiciary; and Appropriations.

By Representative(s) Powell, Kerner, Patronis, Rooney—

HB 1157—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms "health care coverage" or "health flex plan coverage" to include certain specified benefits; deleting the section's expiration date; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By Regulatory Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Business & Professional Regulation Subcommittee and Representative(s) Cummings—

CS for CS for HB 7023—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring collection of a motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 493.6101, F.S.; revising the definition of the term "repossession"; amending s. 493.6113, F.S.; revising firearms recertification training requirements for specified licenses of the private security, private investigative, and repossession industries; amending s. 493.6116, F.S.; deleting a provision prohibiting specified licensees from sponsoring certain interns; requiring interns to perform regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; amending s. 493.6120, F.S.; providing criminal penalties for a person who knowingly obtains a fraudulent document declaring a licensure applicant to have completed specified training; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; exempting specified organizations and sponsors from filing a registration statement; requiring exempt organizations and

sponsors to file specified documents; providing for applicability; amending s. 496.407, F.S.; revising financial reporting requirements; amending s. 496.409, F.S.; revising registration procedures and requirements for professional fundraising consultants; amending s. 496.410, F.S.; revising registration procedures and requirements for professional solicitors; amending s. 496.411, F.S.; revising the information required to be displayed on specified solicitation materials; amending s. 496.415, F.S.; revising a provision prohibiting specified persons from submitting false, misleading, or inaccurate information related to a solicitation or a charitable or sponsor sales promotion; amending s. 496.419, F.S.; revising the responsibility of the Department of Agriculture and Consumer Services to report specified criminal violations; authorizing the department to issue a cease and desist order for specified violations; amending s. 501.016, F.S.; revising the amount of a surety bond, letter of credit, or guaranty agreement furnished to the department by a health studio; amending s. 501.059, F.S.; prohibiting a telephone solicitor from calling certain consumers; amending s. 501.603, F.S.; conforming a cross-reference; revising definitions; amending s. 501.604, F.S.; revising exemptions from specified provisions of the Florida Telemarketing Act; amending s. 501.607, F.S.; revising salesperson application requirements; amending s. 501.608, F.S.; requiring commercial telephone sellers seeking an affidavit of exemption to provide the department with certain information at the department's request; requiring licensees and exempt persons to display certain documentation; authorizing the department to issue a cease and desist order and to order a salesperson to leave an office if the salesperson is unable to properly display or produce a license or a receipt of filing of an affidavit of exemption; amending s. 501.611, F.S.; providing that a surety bond filed with the department by a commercial telephone seller remains in force for a specified period; amending s. 501.615, F.S.; revising the contract requirements and restrictions on telephonic sales by commercial telephone sellers; amending s. 501.617, F.S.; authorizing an enforcing authority to conduct regulatory inspections; amending s. 507.03, F.S.; requiring moving brokers to provide certain information at the request of the department; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term "alternative fuel"; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; deleting a provision requiring certain moneys to be paid into the State Treasury before being deposited into a specified trust fund; amending s. 525.16, F.S.; requiring entities that sell or distribute certain fuels to meet fuel standards adopted by the department; providing a release of liability for certain entities who supply and blend fuels that meet department standards; amending s. 526.141, F.S.; providing that certain entities are not liable for damages resulting from the use of incompatible motor fuels under certain circumstances; amending s. 527.01, F.S.; defining the term "license year" applicable to certain liquefied petroleum gas licenses; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the requirements and procedure for renewal of liquefied petroleum gas licenses; amending s. 531.415, F.S.; revising a provision exempting certain petroleum equipment from specified fees; amending s. 531.61, F.S.; revising a provision exempting certain devices from permitting requirements; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to permits for weights and measures instruments or devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extending the expiration date; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring a specified notice to be filed on a form adopted by the department; amending s. 559.803, F.S.; revising the requirements of the mandatory written disclosure statement provided to purchasers of business opportunities; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; amending s. 559.807, F.S.; deleting a provision providing for the use of certain securities requirements relating to selling business opportunities; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; deleting a provision authorizing the department to adopt rules; deleting a provision naming the department as an enforcing authority; amending s. 559.815, F.S.; conforming provisions to changes made by the act; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance

coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing for severability; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Appropriations Subcommittee on General Government; and Appropriations.

By Regulatory Affairs Committee, Finance & Tax Subcommittee and Representative(s) Rehwinkel Vasilinda, Diaz, J., Berman, Santiago—

CS for CS for HB 277—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; defining the term "renewable energy source device"; excluding the value of certain installations made after a specified date from the assessed value of residential real property; providing for applicability; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of nonhomestead property at just value; amending s. 196.012, F.S.; deleting the definition of the terms "renewable energy source device" and "device"; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for applicability; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Energy & Utilities Subcommittee and Representative(s) Cummings—

CS for HB 649—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information held by an electric utility that is subject to chapter 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the retention of such information for a specified time; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

By Criminal Justice Subcommittee and Representative(s) Kerner, Campbell, Dudley, Jones, M., Pilon, Pritchett, Rooney—

CS for HB 731—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; creating an exemption from public records requirements for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By Government Operations Subcommittee and Representative(s) Rangel—

CS for HB 1075—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public record requirements for a complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation of the complaint by the agency; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Representative(s) Young—

HB 1297—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for the complaint and information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying duration of the exemption; specifying conditions under which an investigation is considered complete; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 92, CS for SB 286, CS for SB 294, SB 338, CS for SB 444, CS for SB 464, CS for CS for SB 674 and CS for SB 1096.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CONFEREES APPOINTED

The Honorable Don Gaetz, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives as managers on the part of the House for the conference committee on appropriations: Rep. McKeel, Chair; Rep. Crisafulli, Vice Chair; Managers At-Large (SB 1500, SB 1502, SB 1810, SB 1504, CS/SB 1762, SB 1506, SB

1802)—Reps. Coley, Gibbons, Gonzalez, Holder, M. Jones, O'Toole, Precourt, Rouson, Schenck, Thurston, Waldman, Workman, and Young; Rep. Albritton, Chair: House Agriculture & Natural Resources / Senate General Government (HB 5501, HB 5503)—Reps. Pafford, Raburn, Raschein, Smith, Stewart, Stone, and C. Watson; Rep. Fresen, Chair: House Education / Senate Education (SB 1514, CS/CS/SB 878, CS/CS/SB 1720)—Reps. Adkins, Ahern, Bileca, Castor Dentel, Fitzenhagen, S. Jones, Nuñez, Perry, Pigman, Reed, and Taylor; Rep. Workman, Chair: House Finance & Tax / Senate Finance & Tax (CS/SB 406, SB 1516)—Reps. Caldwell, Hager, Raulerson, J. Rodriguez, Stark, Santiago, and Torres; Rep. Ingram, Chair: House Government Operations / Senate General Government (HB 5401)—Reps. Antone, Broxson, Clarke-Reed, Harrell, Hood, Peters, and R. Rodrigues; Rep. Hudson, Chair: House Health Care / Senate Health and Human Services (SB 1520, SB 1518, CS/CS/SB 1660)—Reps. Brodeur, Cruz, Cummings, J. Diaz, Oliva, Patronis, Richardson, and Wood; Rep. McBurney, Chair: House Justice / Senate Criminal and Civil Justice (SB 1512, SB 1508, SB 1510)—Reps. Campbell, Danish, La Rosa, Mayfield, Metz, Passidomo, Pilon, and Spano; Rep. Hooper, Chair: House Transportation & Economic Development / Senate Transportation, Tourism and Economic Development (SB 1522)—Reps. Artilles, Davis, Goodson, McGhee, Porter, Powell, Ray, and Rogers.

Robert L. "Bob" Ward, Clerk

ENROLLING REPORTS

CS for CS for SB 92, CS for SB 286, CS for SB 294, SB 338, CS for SB 444, CS for SB 464, CS for CS for SB 674 and CS for SB 1096 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 22, 2013.

Debbie Brown, Secretary

CO-INTRODUCERS

Senators Abruzzo—SB 442; Clemens—SB 1290; Hays—CS for SB 1394; Margolis—CS for SB 196; Soto—SB 516

SENATE PAGES

April 22-26, 2013

Isaiah Beaton, Bradenton; Molly Doyle, St. Petersburg; Jack Driggers, Tallahassee; Marc Geller, Cooper City; Katy Goodwin, Navarre; Chris Hawkins, Orlando; Viviana Hernandez, Navarre; Katie Rasmussen, Tallahassee; Caleb Rodrigues, Ft. Lauderdale; Bailey Smith, Tallahassee; Laura Stargel, Lakeland; Erica Taylor, Chattahoochee; Charles VanCamp, Apopka



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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:00 a.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Excused: Senator Bullard

PRAYER

The following prayer was offered by Deacon Santiago Molina, Co-Cathedral of St. Thomas More, Tallahassee:

Creator and custodian of the Universe and God of all, we humbly ask that you will fill with your spirit all those gathered here; that your gifts of wisdom, understanding, knowledge, counsel, reverence, awe, and fortitude will be made present in the hearts of all gathered here.

Gracious Lord, let us be your instrument that all deliberations and decisions carried out throughout this day will be made with you in mind; so that your goodness, your beauty, your justice, your truth, and your love will be made manifest through the work of this assembly. And that this work may result in the outpouring of those same qualities of goodness, beauty, truth, justice, and love toward the people of this great State and to the benefit of all those that visit here.

In your most holy name, we pray. Amen.

PLEDGE

Senate Pages Caleb Rodrigues of Ft. Lauderdale; Jack Driggers of Tallahassee; Marc Geller of Cooper City, son of former Senator Steve Geller; and Molly Doyle of St. Petersburg 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. Daniel Kantor of Ponte Vedra, sponsored by Senator Thrasher, as doctor of the day. Dr. Kantor specializes in Neurology.

ADOPTION OF RESOLUTIONS

On motion by Senator Benacquisto—

By Senators Benacquisto and Richter—

SR 1862—A resolution commending the Florida Gulf Coast University men’s basketball team for winning its first Division I Atlantic Sun Conference tournament championship and receiving an automatic bid to the National Collegiate Athletic Association men’s basketball tournament, advancing all the way to the “Sweet Sixteen.”

WHEREAS, Florida Gulf Coast University (FGCU) has, in its short history, established a winning tradition in all sports, and

WHEREAS, the FGCU men’s basketball team has successfully established this tradition of athletic excellence, achieved and maintained through its hard work, determination, unselfish play, and a team-first attitude, and

WHEREAS, inspired by Coach Andy Enfield and his coaching staff, Assistant Coaches Kevin Norris, Marty Richter, and Michael Fly, and Director of Operations Joey Cantens, as well as FGCU Eagles Brett Comer, Nate Hicks, Bernard Thompson, Christophe Varidel, Jamail Jones, Eric McKnight, Alexander Blessig, Filip Cvjeticanin, Chase Fiebler, Leonard Livingston, Jr., Eddie Murray, Marcus Blake, Sherwood Brown, and Dajuan Graf came together to form a championship-caliber team, and

WHEREAS, on March 9, 2013, the FGCU Eagles won their first Division I Atlantic Sun Conference men’s basketball tournament championship in Macon, Georgia, and

WHEREAS, by winning the Atlantic Sun Conference tournament, the FGCU Eagles earned an automatic bid and advanced for the first time in the history of the basketball program to the NCAA men’s basketball tournament, and

WHEREAS, on March 22, 2013, in a historic win, the number 15 seed FGCU Eagles defeated the South Region’s number 2 seed team, the Georgetown University Hoyas, by a score of 78-68 in Philadelphia, Pennsylvania, which showcased the Eagles’ combined talent for playing balanced and selfless basketball, and

WHEREAS, on March 24, 2013, the FGCU Eagles won the second round of the tournament, defeating the number 7 seed San Diego State University Aztecs by a score of 81-71, also in Philadelphia, the first 15 seed team in NCAA history to advance to the exceptional field of the final “Sweet Sixteen” teams, and

WHEREAS, the storied play of the FGCU Eagles firmly established the FGCU campus as “Dunk City” in the sports lexicon, NOW, THEREFORE,

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

That we commend the Florida Gulf Coast University men’s basketball team for winning the 2013 Atlantic Sun Conference tournament men’s basketball championship and for its historic wins in the Division I National Collegiate Athletic Association men’s basketball tournament.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to FGCU President Wilson G. Bradshaw, Head Coach Andy Enfield, Assistant Coaches Kevin Norris, Marty Richter, and Michael Fly, and to each member of the Florida Gulf Coast University Eagles men’s basketball team as a tangible token of the sentiments expressed in this resolution.

—was introduced out of order and read by title. On motion by Senator Benacquisto, **SR 1862** was read the second time by title and adopted.

On motion by Senator Simpson—

By Senator Simpson—

SR 1870—A resolution recognizing the life work of civil rights activist Margarita Romo and celebrating her induction into the Florida Civil Rights Hall of Fame.

WHEREAS, Margarita Romo was born in Texas of Mexican descent and is the founder and executive director of Farmworkers Self-Help, Inc., an organization that facilitates the self-development of farmworkers and other underprivileged persons through programs of education, advocacy, organizing, and help, and

WHEREAS, as the only woman directing a farmworker organization in this state, Margarita Romo also organized Agricultural Women Involved in New Goals (AWING), the first farmworker women’s organization in Florida, and

WHEREAS, Margarita Romo also developed the Norma Godinez Learning Center, designed to address the educational needs of farmworkers and other poor, and

WHEREAS, Margarita Romo has devoted the past 30 years of her life to improving the quality of life for residents of Tommytown, a depressed, crime-ridden area of Dade City, and

WHEREAS, Margarita Romo has devoted her life to community service, including service as a member of the Florida Education and Employment Council for Women and Girls, and 8 years’ service as a member of the District 5 Health and Human Services Board of the Department of Children and Families, and

WHEREAS, Margarita Romo is the recipient of numerous recognitions and awards, including the Robert Bannerman Award, given to distinguished activists of color; the Clairol Award, in recognition of the accomplishments of women over age 35; the Cramer-Fisher Award, given by Mazon: A Jewish Response to Hunger, in recognition of her accomplishments in working for the alleviation of hunger and poverty; the Cesar Chavez Award for farmworker advocacy; and the Florida Commission on the Status of Women Achievement Award; and, in 2010, she was named Hispanic Woman of the Year by Tampa Hispanic Heritage, and

WHEREAS, on February 27, 2013, Governor Rick Scott announced the selection of Margarita Romo as an inductee into the Florida Civil Rights Hall of Fame, and

WHEREAS, Margarita Romo is a role model and inspiration to all who know her, NOW, THEREFORE,

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

That we do hereby recognize and commend the life work of civil rights activist Margarita Romo and celebrate her induction into the Florida Civil Rights Hall of Fame.

—was introduced out of order and read by title. On motion by Senator Simpson, **SR 1870** was read the second time by title and adopted.

At the request of Senator Bullard—

By Senator Bullard—

SR 858—A resolution congratulating Miami-Dade County Public Schools on being named the winner of the 2012 Broad Prize for Urban Education and recognizing the school system and its administrators, teachers, staff, students, and parents for their commitment to the singular goal of improving student achievement in an environment characterized by openness, transparency, efficiency, and innovation.

WHEREAS, the Broad Prize for Urban Education is an annual award that honors urban school districts across the nation that are making the greatest progress in raising student achievement, and

WHEREAS, the Broad Prize honors urban school districts that demonstrate the greatest overall performance and improvement in student achievement while reducing achievement gaps among ethnic groups and between high- and low-income students, and

WHEREAS, students in the Miami-Dade County Public Schools outperformed students in a number of the most highly thought of public schools in major metropolitan areas in the National Assessment of Educational Progress Trial Urban District Assessment in science, mathematics, and reading, and

WHEREAS, Miami-Dade County Public Schools was a finalist for the Broad Prize in 2006, 2007, 2008, and 2011, and, in 2012 claimed this prestigious honor, and

WHEREAS, as the winner of the Broad Prize, Miami-Dade County Public Schools will receive \$550,000 in college scholarships for graduating seniors, and

WHEREAS, Miami-Dade County Public Schools’ recognition by the body that awards the Broad Prize is a testament to its concentrated approach in reading instruction, including summer reading camps; reading interventions in elementary, middle, and senior high school, as well as an emphasis on reading across disciplines; a focus on guiding middle school students to advanced-level classes, which increases the pipeline to Advanced Placement courses in high school; and extended learning opportunities through the Links to Learning program and the Superintendent’s Success Academy, NOW, THEREFORE,

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

That we recognize the outstanding achievement of the Miami-Dade County Public Schools and its administrators, teachers, staff, students, and parents for their exemplary achievement in winning the Broad Prize for Urban Education, which shines a national spotlight on the system’s sound advances in student achievement.

—**SR 858** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1798—A resolution recognizing the YWCA of Tampa Bay, Inc., for its pioneering efforts in race relations and the empowerment of women.

WHEREAS, the YWCA of Tampa Bay, Inc., has a long history of fighting against racial injustice and for the empowerment of women, and

WHEREAS, under the leadership of Chief Executive Officer Lenice C. Emanuel, the YWCA of Tampa Bay, Inc., has achieved an impressive record of service to the community and has been a consistent and effective advocate for the cause of equality in employment, education, health care, housing, and human services, and

WHEREAS, on April 26, 2013, the YWCA of Tampa Bay, Inc., will host the 5th Annual “Stand Against Racism,” joining more than 2,000 organizations nationwide in promoting activities designed to raise awareness of this ongoing issue, and

WHEREAS, the strength, security, and success of this great state depend in great measure on the work of organizations like the YWCA of Tampa Bay, Inc., which work tirelessly to improve the quality of life of all Floridians, NOW, THEREFORE,

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

That we recognize the YWCA of Tampa Bay, Inc., for its pioneering efforts in race relations and the empowerment of women.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the YWCA of Tampa Bay, Inc., Chief Executive Officer Lenice C. Emanuel as a tangible token of the sentiments expressed in this resolution.

—**SR 1798** was introduced, read and adopted by publication.

At the request of Senator Braynon—

By Senator Braynon—

SR 1858—A resolution recognizing April 18, 2013, as “University of Miami Men’s Hurricanes Basketball Day” in Florida.

WHEREAS, the University of Miami was founded in 1925 as a private university in Coral Gables and now competes in Division I of the National Collegiate Athletic Association in the Atlantic Coast Conference (ACC), and

WHEREAS, in 2013, the University of Miami men’s Hurricanes basketball team for the second time in university history advanced to the “Sweet Sixteen” tournament, concluding the 2012-2013 season with a single-season school record of 29 wins, and

WHEREAS, the University of Miami men’s Hurricanes basketball team completed the season as ACC regular season champions and ACC tournament champions, and

WHEREAS, University of Miami men’s Hurricanes basketball Coach Jim Larrañaga was named the National Association of Basketball Coaches’ District 4 Coach of the Year, the Henry Iba Coach of the Year, and Colonial Athletic Association (CAA) Coach of the Year, and is a finalist for the Naismith Men’s College Coach of the Year, and

WHEREAS, Hurricane point guard Shane Larkin was voted ACC Player of the Year and Most Valuable Game Player, and guard Durand Scott was named ACC Defensive Player of the Year, and

WHEREAS, the men’s Hurricanes basketball team has brought pride and recognition to the more than 160,000 University of Miami alumni, and

WHEREAS, Miami-Dade County is proud to be the “epicenter” of basketball, NOW, THEREFORE,

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

That we recognize April 18, 2013 as “University of Miami Men’s Hurricanes Basketball Day” in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to University of Miami men’s Hurricanes basketball Coach Jim Larrañaga as a tangible token of the sentiments expressed in this resolution.

—**SR 1858** was introduced, read and adopted by publication.

At the request of Senator Latvala—

By Senator Latvala—

SR 1876—A resolution recognizing Clearwater Beach’s election by the readers of USA Today as “Florida’s best beach town.”

WHEREAS, Clearwater Beach stretches along 3 miles of blindingly white sugar-sand beaches on the Sunshine State’s west coast and is one

of the top tourist destinations along the Gulf Coast, attracting about four million visitors annually, and

WHEREAS, Clearwater Beach was dubbed “the Disney World of beaches” by the Tampa Bay Times, and USA Today noted that it is equal parts “Mad Men-esque” and flip-flop casual, attracting springbreakers, young families, baseball fans, and snowbirds, and

WHEREAS, Clearwater Beach was the beneficiary of a \$30 million makeover in 2008, which created the broad, palm-lined promenade known as Beach Walk, and

WHEREAS, Clearwater Beach is the birthplace of Hooters Restaurant and home to both retired professional wrestler and restaurateur Hulk Hogan and Hollywood star Winter, the bottlenose dolphin with the prosthetic tail who resides in the nonprofit Clearwater Marine Aquarium, and

WHEREAS, in February 2013, the readers of USA Today elected Clearwater Beach “Florida’s best beach town” from a slate of 10 nominees advanced by coastal expert Stephen “Dr. Beach” Leatherman, NOW, THEREFORE,

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

That we recognize Clearwater Beach’s election by the readers of USA Today as “Florida’s best beach town.”

—**SR 1876** was introduced, read and adopted by publication.

At the request of Senator Latvala—

By Senator Latvala—

SR 1878—A resolution recognizing April 24, 2013, as Armenian Martyrs Remembrance Day.

WHEREAS, 1.5 million men, women, and children of Armenian descent were victims of the genocide perpetrated by the Ottoman Empire in 1915 and thereafter, and

WHEREAS, the killing of the Armenian people was accomplished by the systematic destruction of Christian churches, schools, libraries, art treasures, and cultural monuments in an attempt to eliminate all traces of a noble Christian civilization with a history of more than 3,000 years, and

WHEREAS, United States Ambassador to the Ottoman Empire, Henry Morgenthau, Sr., stated, “Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of these devoted people,” and

WHEREAS, contemporary newspapers, including the New York Times, ran headlines including “Tales of Armenian Horrors Confirmed” and “Million Armenians Killed or in Exile,” and

WHEREAS, each year, Armenian Americans and Armenians throughout the world honor those who perished from 1915 to 1923, and 43 other states have passed resolutions and commemorations honoring the memory of Armenians who were victims of the Ottoman Empire in 1915 and thereafter, and

WHEREAS, we must all do our best to raise awareness about the Armenian genocide, not only because it is an undeniable chapter of world history, but because learning more about this unconscionable tragedy will help us better understand the necessity of eliminating hatred from our own communities, and

WHEREAS, Floridians are strong in their belief that all people should condemn crimes committed against any culture or people in order to prevent similar atrocities in the future, and

WHEREAS, Armenian-Americans living in Florida have greatly enriched our state through leadership in business, agriculture, academia, government, and the arts, NOW, THEREFORE,

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

That we recognize April 24, 2013, as “Armenian Martyrs Remembrance Day” in Florida and commemorate the sacrifice of the Armenian martyrs from 1915 to 1923.

—**SR 1878** was introduced, read and adopted by publication.

At the request of Senator Dean—

By Senator Dean—

SR 1882—A resolution recognizing the 100th anniversary of Advent Christian Village.

WHEREAS, established in 1913 on 1,000 acres of land donated by Thomas Dowling and Richard W. Sears to the Advent Christian Church, the American Advent Christian Home and Orphanage was chartered and incorporated in the State of Florida in 1915, and was the state’s first retirement home, and

WHEREAS, in spite of natural disasters, the Great Depression, severe economic shortages, and other hardships, the Home and Orphanage thrived with the support of Advent Christian churches across the country, and despite taking slightly different forms, its mission has remained in keeping with the spirit of its founding: to express Christ’s love by providing compassionate care and quality comprehensive services for senior adults, families with special needs, and children in a secure, supportive residential setting, and

WHEREAS, now known as Advent Christian Village, the humble Home and Orphanage has evolved into a self-contained community that welcomes people of all faiths, is made up of over 800 residents and members, and serves an additional 300 people in the surrounding community of Dowling Park, and

WHEREAS, Advent Christian Village consists of 300 rental apartments ranging in style from mid-rise apartment buildings to garden apartments, clusters, duplexes, and single-dwelling homes, while the Village Square offers a grocery store, a bank, a branch of the United States Postal Service, a beauty salon and barber shop, gift shops, a unique resale store, an arts-and-crafts shop, and a cafe, and its caring staff provide home care, social services, housekeeping, and transportation services, and

WHEREAS, the W. B. Copeland Medical Center, Advent Christian Village’s state-of-the-art medical clinic, provides medical care in the areas of family practice, geriatrics, women’s health, dentistry, and urgent care; offers various laboratory, testing, and radiological services; and provides outpatient rehabilitative services such as physical therapy, speech and occupational therapy, osteoporosis and joint care, pain management, stroke rehabilitation, and cognitive and communication therapy, among others, and

WHEREAS, as part of its centennial celebration, Advent Christian Village held the dedication and inaugural walk of the Village Heritage Trail, a walking path through the village along which are marked the locations of significant buildings from the early days of the village, complete with photographs and a description of how each structure served the ministry, allowing residents and visitors to reflect on 100 years of care, compassion, and excellence, NOW, THEREFORE,

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

That Advent Christian Village is honored for a century of invaluable service to the citizens of this state and is heartily congratulated on the occasion of its 100th anniversary.

—**SR 1882** was introduced, read and adopted by publication.

At the request of Senator Flores—

By Senator Flores—

SR 1890—A resolution recognizing the relationship and shared interests between the people of Taiwan and the United States.

WHEREAS, Florida maintains and values its relationship with Taiwan, and

WHEREAS, April 10, 2013, marked the 34th anniversary of the enactment of the Taiwan Relations Act, which encourages continued commercial and cultural relations between the people of the United States and the people of Taiwan, and

WHEREAS, support for Taiwan’s continued economic growth and prosperity is important to the interests of the United States, particularly since Taiwan was the eleventh largest two-way trade partner of the United States and the seventh largest export market for United States food and agricultural products in 2012 and is currently the sixth largest source of international students traveling to the United States, and

WHEREAS, Taiwan is one of the allies of the United States in the Western Pacific region, and Governor Rick Scott has encouraged President Barack Obama to provide defensive weaponry, such as F-16 C/D aircraft, to Taiwan, which will create job opportunities in this state and help Taiwan maintain its defense capabilities in the region, and

WHEREAS, the campaign of the East China Sea Peace Initiative proposed by President Ma Ying-jeou of Taiwan, which recognizes the conflicting territorial viewpoints of the interested parties, calls on all parties concerned to resolve their regional disputes peacefully based on the United Nations Charter and relevant provisions of international law, which is consistent with the security and economic interests of the United States in East Asia, and

WHEREAS, the Legislature encourages and supports Taiwan’s meaningful participation in international organizations, noting that Taiwan participates in, observes, or cooperates with over 50 international organizations and is a member of both the Asia-Pacific Economic Cooperation forum and the World Trade Organization, NOW, THEREFORE,

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

That we recognize the relationship and shared interests between the people of Taiwan and the United States.

—**SR 1890** was introduced, read and adopted by publication.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

SB 832—A bill to be entitled An act relating to powers of attorney; amending s. 709.2102, F.S.; adding definitions; revising the definition of “sign”; amending s. 709.2103, F.S.; adding certain powers of attorney to which this part does not apply; amending s. 709.2105, F.S.; authorizing a notary public to sign the principal’s name to the power of attorney under certain circumstances; amending s. 709.2106, F.S.; clarifying and revising language; providing that an original power of attorney, rather than a photocopy or electronic copy, may be required under certain circumstances; providing that an original power of attorney may be presented for recording in the official records for a fee; amending s. 709.2114, F.S.; adding exceptions to a provision that prohibits an agent who has accepted appointment from delegating authority to a third person; amending s. 709.2116, F.S.; providing for attorney fees and costs as in chancery actions; amending s. 709.2119, F.S.; authorizing a third person to require an agent to execute an affidavit stating that the agent’s authority was not terminated because of certain circumstances; revising a sample form of an affidavit; revising a cross-reference; amending s. 709.2120, F.S.; revising language; providing a presumption of reasonable time to accept or reject a power of attorney for a broker-dealer; requiring a third person who rejects a power of attorney to state the reason in writing unless a certain circumstance applies; amending s. 709.2121, F.S.; providing for notice to a broker-dealer; amending s. 709.2202, F.S.; conforming a cross-reference; authorizing a notary public to sign the principal’s name to documents, other than the power of attorney, under certain circumstances; clarifying that certain gift amounts are based on the calendar year; specifying that a broker-dealer does not have a duty to inquire into certain actions by an agent and is not liable for relying in good faith on an agent’s actions; amending s. 709.2208, F.S.; providing that an agent acquires general authority regarding securities held by a broker-dealer under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 832**, on motion by Senator Joyner, by two-thirds vote **CS for HB 841** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Joyner—

CS for HB 841—A bill to be entitled An act relating to powers of attorney; amending s. 709.2102, F.S.; revising and providing definitions; amending s. 709.2103, F.S.; providing additional exceptions to the applicability of specified power of attorney provisions; amending s. 709.2105, F.S.; authorizing a notary public to sign a principal's name on a power of attorney under certain circumstances; amending s. 709.2106, F.S.; clarifying and revising language; providing that an original power of attorney may be required under certain circumstances; providing that an original power of attorney may be recorded in the official records for a fee; amending s. 709.2114, F.S.; adding exceptions to a provision that prohibits an agent who has accepted appointment from delegating authority to a third person; amending s. 709.2121, F.S.; providing for the award of attorney fees and costs as in chancery actions; amending s. 709.2119, F.S.; authorizing a third person to require an agent to execute an affidavit stating that the agent's authority was not terminated because of certain circumstances; revising a form for affidavits; revising a cross-reference; revising terminology; amending s. 709.2120, F.S.; conforming provisions to changes made by the act; requiring a third person who rejects a power of attorney for certain reasons to state the reason for the rejection in writing; amending s. 709.2121, F.S.; providing for notice to a broker-dealer; amending s. 709.2202, F.S.; authorizing a notary to sign the principal's name to documents, other than the power of attorney, under certain circumstances; clarifying that certain gift amounts are based on the calendar year; specifying that a broker-dealer does not have a duty to inquire into certain actions by an agent and is not liable for actions taken in good faith reliance on an agent's actions; amending s. 709.2208, F.S.; providing that an agent acquires general authority regarding securities held by broker-dealers under certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 832** and read the second time by title.

On motions by Senator Joyner, by two-thirds vote **CS for HB 841** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Detert

On motion by Senator Negron, by unanimous consent—

SB 1832—A bill to be entitled An act relating to taxation; amending s. 320.04, F.S.; reducing the service charges that are collected with an application for the original issuance, duplicate issuance, or transfer of certain specified registration certificates; amending s. 320.06, F.S.; reducing a fee collected for a motor vehicle registration; amending ss. 320.0804 and 320.08046, F.S.; reducing a surcharge on a license tax; reenacting s. 320.0807(4), F.S., relating to special vehicle license plates for the Governor and federal and state legislators, to incorporate the

amendment made to s. 320.06, F.S., in a reference thereto; amending s. 624.509, F.S.; deleting a credit based on the amount paid in salaries to employees within this state; amending ss. 624.5091 and 624.51055, F.S.; revising provisions to conform to changes made by the act; providing effective dates.

—was taken up out of order and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gibson moved the following amendment which failed:

Amendment 1 (210080) (with title amendment)—Delete lines 208-436 and insert:

Section 6. *The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, and the Speaker of the House of Representatives, an evaluation of the salary credit provided in ss. 624.509 and 624.5091, Florida Statutes.*

(1) *The Office and OPPAGA shall coordinate the development of the evaluation and shall submit the evaluation no later than January 31, 2014.*

(2) *The Office shall evaluate and determine the economic effect and value of the salary credit on the state's economy over the previous 10 years.*

(a) *The analysis must include:*

1. *The total number of persons employed by insurance companies in this state;*

2. *The number of jobs created by insurance companies in this state;*

3. *The average annual income of persons holding such jobs;*

4. *The economic impact of insurance companies on local communities, including real estate taxes, local business taxes, charitable activities; and*

5. *The impact on state's economy from the direct, indirect, and induced effects of the insurance-industry jobs.*

(b) *For the purpose of evaluating the credit, the Office of Economic and Demographic Research shall include, but is not limited to, data and information from the Office of Insurance Regulation relating to insurers who received the credit during the evaluation period.*

(c) *The analysis must use the model developed by the Office as required in s. 216.138, Florida Statutes, to evaluate the salary credit. The Office shall provide a written explanation of the key assumptions of the model and how it is used. If the Office finds that another evaluation model is more appropriate to evaluate a program, it may use another model, but it must provide an explanation as to why the selected model was more appropriate.*

(3) *The analysis may include relevant economic development reports or analyses prepared by the Department of Economic Opportunity, Enterprise Florida, Inc., or local or regional economic development organizations; interviews with the parties involved; or any other relevant data.*

(4) *The Office of Economic and Demographic Research and OPPAGA must be given access to all data necessary to complete the salary credit Evaluation, including any confidential data. The offices may collaborate on data collection and analysis.*

Section 7. Sections 1 through 5 of this act shall take effect on September 1, 2014, and section 6 shall take effect upon becoming a law.

And the title is amended as follows:

Delete lines 14-18 and insert: directing the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to evaluate the salary credit program to determine the program's economic effect and value on the state's economy over the previous 10 years; requiring the Office and OPPAGA to present the results of the evaluation to the Governor, the President of the Senate, and the Speaker of the House of Re-

representatives by a specified date; mandating that OPPAGA and the Office have access to the data necessary to complete the evaluation; providing effective dates.

On motions by Senator Negron, by two-thirds vote **SB 1832** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

MOTIONS

On motion by Senator Negron, by two-thirds vote **SB 1832** was ordered immediately certified to the House.

On motion by Senator Latvala, by unanimous consent—

CS for CS for CS for CS for SB 1382—A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term “committee of continuous existence” to conform to changes made by the act; revising the definition of the term “election” to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing that contributions received before a candidate changes his or her candidacy to a different office count towards the contribution limits for the newly designated office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly-elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commis-

sion; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer’s reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to non-statewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; specifying restrictions on expenditures by political committees; providing a penalty; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term “same office”; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; reenacting and amending s. 106.29, F.S.; revising reporting requirements for political parties and affiliated party committees; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to ss. 106.08 and 106.11, F.S., in references thereto; providing appropriations; authorizing specified numbers of full-time equivalent positions with associated salary rates within the Florida Elections Commission and the Division of Elections; providing effective dates.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for CS for CS for SB 1382**, on motion by Senator Latvala, by two-thirds vote **CS for CS for CS for HB 569** was withdrawn from the Committees on Ethics and Elections; Community Affairs; and Rules.

On motion by Senator Latvala—

CS for CS for CS for HB 569—A bill to be entitled An act relating to the Florida Election Code; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections of the Department of State to provide certain notifications to committees of continuous existence; amending ss. 101.62, 102.031, and 111.075, F.S.; conforming provisions; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; revising the definition of the term “candidate” to include a candidate for a political party executive committee; deleting the definition of the term “committee of continuous existence,” to conform; conforming provisions and cross-references; amending s. 106.022, F.S.; conforming a provision; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fund raiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming cross-references; amending s. 106.05, F.S.; revising the information that is required to appear on a campaign bank account for deposit of funds; amending s. 106.07, F.S.; revising reporting requirements for candidates and political committees; conforming provisions; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; conforming provisions and cross-references; amending s. 106.08, F.S.; revising limitations on campaign contributions; conforming provisions and a cross-reference; amending s. 106.087, F.S.; conforming provisions; amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to de-

termine when debit cards are considered bank checks; amending s. 106.12, F.S.; conforming a cross-reference; amending s. 106.141, F.S.; specifying the amount of surplus funds a candidate may give to an affiliated party committee or political party; specifying the maximum amount of funds that certain candidates may transfer from a campaign account to an office account; expanding the permissible uses of office account funds; providing for retention of surplus campaign funds by a candidate for specified purposes; providing reporting requirements for surplus campaign funds; providing for disposition of the funds; modifying requirements for disposing of or transferring surplus funds; amending ss. 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references; directing the Division of Elections to submit a proposal to the Legislature for a mandatory statewide electronic filing system; authorizing positions and providing appropriations; providing effective dates.

—a companion measure, was substituted for CS for CS for CS for CS for SB 1382 and read the second time by title.

Senator Latvala moved the following amendment:

Amendment 1 (481688) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Section 106.04, Florida Statutes, is repealed.*

Section 2. (1) *Effective August 1, 2013, a committee of continuous existence may not accept a contribution as defined in s. 106.011, Florida Statutes. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the prohibition on accepting such a contribution as provided under this subsection.*

(2) *Effective September 30, 2013, the certification of each committee of continuous existence is revoked and all committee accounts must have a zero balance. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the revocation of its certification pursuant to this subsection. Following the revocation of certification, each committee of continuous existence shall file any outstanding report as required by law.*

(3)(a) *A violation of this section or any other provision of chapter 106, Florida Statutes, constitutes a violation of chapter 106, Florida Statutes, regardless of whether the committee of continuous existence is legally dissolved.*

(b) *A political committee or electioneering communications organization that has received funds from a committee of continuous existence whose certification has been revoked and that is directly or indirectly established, maintained, or controlled by the same individual or group as the former committee of continuous existence, is responsible for any unpaid fine or penalty incurred by the former committee of continuous existence. If no such political committee or electioneering communications organization exists, the principal officers of the former committee of continuous existence shall be jointly and severally liable for any fine or penalty.*

(4) *Notwithstanding any other provision of law, a committee of continuous existence may make unlimited contributions to a political committee.*

(5) *This section shall be effective upon this act becoming a law.*

Section 3. Section 106.011, Florida Statutes, is reordered and amended to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(16)(1)(a) “Political committee” means:

1. A combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year:

a. Accepts contributions for the purpose of making contributions to any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party;

b. Accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue;

c. Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or

d. Makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party;

2. The sponsor of a proposed constitutional amendment by initiative who intends to seek the signatures of registered electors.

(b) Notwithstanding paragraph (a), the following entities are not considered political committees for purposes of this chapter:

1. ~~Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04~~, National political parties, the state and county executive committees of political parties, and affiliated party committees regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, affiliated party committees, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Electioneering communications organizations as defined in subsection (9) ~~(19)~~.

~~(2) “Committee of continuous existence” means any group, organization, association, or other such entity which is certified pursuant to the provisions of s. 106.04.~~

(5)(~~9~~) “Contribution” means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, ~~between committees of continuous existence~~, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by a ~~any~~ person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes ~~any~~ interest earned on such account or certificate.

Notwithstanding the foregoing meanings of “contribution,” the term may not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or editorial endorsements.

(10)(4)(a) “Expenditure” means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. However, “expenditure” does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence ~~before~~ prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization’s newsletter, containing a statement by such organization in support of or opposition to a candidate

or issue, which newsletter is distributed only to members of such organization.

(b) As used in this chapter, an “expenditure” for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;
2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or
3. The electioneering communication is publicly disseminated.

(12)(5)(a) “Independent expenditure” means an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. An expenditure for such purpose by a person having a contract with the candidate, political committee, or agent of such candidate or committee in a given election period ~~is shall not be deemed~~ an independent expenditure.

(b) An expenditure for the purpose of expressly advocating the election or defeat of a candidate which is made by the national, state, or county executive committee of a political party, including any subordinate committee of the political party, an affiliated party committee, a political committee, ~~a committee of continuous existence,~~ or any other person ~~is shall not be~~ considered an independent expenditure if the committee or person:

1. Communicates with the candidate, the candidate’s campaign, or an agent of the candidate acting on behalf of the candidate, including a ~~any~~ pollster, media consultant, advertising agency, vendor, advisor, or staff member, concerning the preparation of, use of, or payment for, the specific expenditure or advertising campaign at issue; ~~or~~
2. Makes a payment in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to a ~~any~~ general or particular understanding with the candidate, the candidate’s campaign, a political committee supporting the candidate, or an agent of the candidate relating to the specific expenditure or advertising campaign at issue; ~~or~~
3. Makes a payment for the dissemination, distribution, or republication, in whole or in part, of a ~~any~~ broadcast or a ~~any~~ written, graphic, or other form of campaign material prepared by the candidate, the candidate’s campaign, or an agent of the candidate, including a ~~any~~ pollster, media consultant, advertising agency, vendor, advisor, or staff member; ~~or~~
4. Makes a payment based on information about the candidate’s plans, projects, or needs communicated to a member of the committee or person by the candidate or an agent of the candidate, provided the committee or person uses the information in any way, in whole or in part, either directly or indirectly, to design, prepare, or pay for the specific expenditure or advertising campaign at issue; ~~or~~
5. After the last day of the qualifying period prescribed for the candidate, consults about the candidate’s plans, projects, or needs in connection with the candidate’s pursuit of election to office and the information is used in any way to plan, create, design, or prepare an independent expenditure or advertising campaign, with:
 - a. An ~~any~~ officer, director, employee, or agent of a national, state, or county executive committee of a political party or an affiliated party committee that has made or intends to make expenditures in connection with or contributions to the candidate; or
 - b. A ~~any~~ person whose professional services have been retained by a national, state, or county executive committee of a political party or an affiliated party committee that has made or intends to make expenditures in connection with or contributions to the candidate; ~~or~~
6. After the last day of the qualifying period prescribed for the candidate, retains the professional services of a ~~any~~ person also providing those services to the candidate in connection with the candidate’s pursuit of election to office; or

7. Arranges, coordinates, or directs the expenditure, in any way, with the candidate or an agent of the candidate.

(7)(6) “Election” means a ~~any~~ primary election, special primary election, general election, special election, or municipal election held in this state for the purpose of nominating or electing candidates to public office, choosing delegates to the national nominating conventions of political parties, *selecting a member of a political party executive committee,* or submitting an issue to the electors for their approval or rejection.

(13)(7) “Issue” means a ~~any~~ proposition ~~that which~~ is required by the State Constitution, by law or resolution of the Legislature, or by the charter, ordinance, or resolution of a ~~any~~ political subdivision of this state to be submitted to the electors for their approval or rejection at an election, or a ~~any~~ proposition for which a petition is circulated in order to have such proposition placed on the ballot at an ~~any~~ election.

(14)(8) “Person” means an individual or a corporation, association, firm, partnership, joint venture, joint stock company, club, organization, estate, trust, business trust, syndicate, or other combination of individuals having collective capacity. The term includes a political party, affiliated party committee, or political committee, ~~or committee of continuous existence.~~

(2)(9) “Campaign treasurer” means an individual appointed by a candidate or political committee as provided in this chapter.

(17)(10) “Public office” means a ~~any~~ state, county, municipal, or school or other district office or position ~~that which~~ is filled by vote of the electors.

(1)(11) “Campaign fund raiser” means an ~~any~~ affair held to raise funds to be used in a campaign for public office.

(6)(12) “Division” means the Division of Elections of the Department of State.

(4)(13) “Communications media” means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure ~~is shall be~~ deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding ~~the any~~ costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure ~~is shall be~~ deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.

(11)(14) “Filing officer” means the person before whom a candidate qualifies ~~or;~~ the agency or officer with whom a political committee or an electioneering communications organization registers, ~~or the agency by whom a committee of continuous existence is certified.~~

(18)(15) “Unopposed candidate” means a candidate for nomination or election to an office who, after the last day on which a ~~any~~ person, including a write-in candidate, may qualify, is without opposition in the election at which the office is to be filled or who is without such opposition after such date as a result of a ~~any~~ primary election or of withdrawal by other candidates seeking the same office. A candidate is not an unopposed candidate if there is a vacancy to be filled under s. 100.111(3), if there is a legal proceeding pending regarding the right to a ballot position for the office sought by the candidate, or if the candidate is seeking retention as a justice or judge.

(3)(16) “Candidate” means a ~~any~~ person to whom any ~~one or more~~ of the following ~~applies apply~~:

- (a) A ~~any~~ person who seeks to qualify for nomination or election by means of the petitioning process.
- (b) A ~~any~~ person who seeks to qualify for election as a write-in candidate.
- (c) A ~~any~~ person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make ex-

penditures, with a view to bring about his or her nomination or election to, or retention in, public office.

(d) A ~~any~~ person who appoints a treasurer and designates a primary depository.

(e) A ~~any~~ person who files qualification papers and subscribes to a candidate's oath as required by law.

However, this definition does not include any candidate for a political party executive committee. Expenditures related to potential candidate polls as provided in s. 106.17 are not contributions or expenditures for purposes of this subsection.

(15)(17) "Political advertisement" means a paid expression in a ~~any~~ communications media prescribed in subsection (4) ~~(13)~~, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:

(a) A statement by an organization, in existence ~~before~~ ~~prior to~~ the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization.

(b) Editorial endorsements by a ~~any~~ newspaper, a radio or television station, or ~~any~~ other recognized news medium.

(8)(18)(a) "Electioneering communication" means ~~any~~ communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone and that:

1. Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;

2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and

3. Is targeted to the relevant electorate in the geographic area the candidate would represent if elected.

(b) The term "electioneering communication" does not include:

1. A communication disseminated through a means of communication other than a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, telephone, or statement or depiction by an organization, in existence ~~before~~ ~~prior to~~ the time during which a candidate named or depicted qualifies for that election, made in that organization's newsletter, which newsletter is distributed only to members of that organization.

2. A communication in a news story, commentary, or editorial distributed through the facilities of a ~~any~~ radio station, television station, cable television system, or satellite system, unless the facilities are owned or controlled by a ~~any~~ political party, political committee, or candidate. A news story distributed through the facilities owned or controlled by a ~~any~~ political party, political committee, or candidate may nevertheless be exempt if it represents a bona fide news account communicated through a licensed broadcasting facility and the communication is part of a general pattern of campaign-related news accounts that give reasonably equal coverage to all opposing candidates in the area.

3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication ~~is shall~~ not be considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication ~~does shall~~ not constitute an independent expenditure ~~and is not nor be~~ subject to the limitations applicable to independent expenditures.

(9)(19) "Electioneering communications organization" means any group, other than a political party, affiliated party committee, or political committee, ~~or committee of continuous existence~~, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party ~~or~~ political committee, ~~or committee of continuous existence~~ under this chapter.

Section 4. Paragraph (a) of subsection (1) and paragraph (d) of subsection (3) of section 106.021, Florida Statutes, are amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.—

(1)(a) Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository ~~before~~ ~~prior to~~ qualifying for office. Any person who seeks to qualify for election or nomination to any office by means of the petitioning process shall appoint a treasurer and designate a primary depository on or before the date he or she obtains the petitions. ~~Each candidate shall~~ At the same time a candidate ~~he or she~~ designates a campaign depository and appoints a treasurer, ~~the candidate shall~~ also designate the office for which he or she is a candidate. If the candidate is running for an office ~~that~~ ~~which~~ will be grouped on the ballot with two or more similar offices to be filled at the same election, the candidate must indicate for which group or district office he or she is running. ~~Nothing in~~ This subsection ~~does not shall~~ prohibit a candidate, at a later date, from changing the designation of the office for which he or she is a candidate. However, if a candidate changes the designated office for which he or she is a candidate, the candidate must notify all contributors in writing of the intent to seek a different office and offer to return pro rata, upon their request, those contributions given in support of the original office sought. This notification shall be given within 15 days after the filing of the change of designation and shall include a standard form developed by the Division of Elections for requesting the return of contributions. The notice requirement ~~does shall~~ not apply to any change in a numerical designation resulting solely from redistricting. If, within 30 days after being notified by the candidate of the intent to seek a different office, the contributor notifies the candidate in writing that the contributor wishes his or her contribution to be returned, the candidate shall return the contribution, on a pro rata basis, calculated as of the date the change of designation is filed. *Up to a maximum of the contribution limits specified in s. 106.08, a candidate who runs for an office other than the office originally designated may use any contribution that a donor does not request. Any contributions not requested to be returned within the 30-day period for the newly designated office, provided the candidate disposes of any amount exceeding the contribution limit pursuant to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s. 106.141(4)(a)4.; notwithstanding, the full amount of the contribution for the original office shall count toward the contribution limits specified in s. 106.08 for the newly designated office may be used by the candidate for the newly designated office.* A No person may not ~~shall~~ accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository. A candidate

for an office voted upon statewide may appoint not more than 15 deputy campaign treasurers, and any other candidate or political committee may appoint not more than 3 deputy campaign treasurers. The names and addresses of the campaign treasurer and deputy campaign treasurers so appointed shall be filed with the officer before whom such candidate is required to qualify or with whom such political committee is required to register pursuant to s. 106.03.

(3) No contribution or expenditure, including contributions or expenditures of a candidate or of the candidate's family, shall be directly or indirectly made or received in furtherance of the candidacy of any person for nomination or election to political office in the state or on behalf of any political committee except through the duly appointed campaign treasurer of the candidate or political committee, subject to the following exceptions:

(d) Expenditures made directly by any ~~political committee, affiliated party committee, or political party~~ regulated by chapter 103 for obtaining time, space, or services in or by any communications medium for the purpose of jointly endorsing three or more candidates, and any such expenditure ~~may~~ shall not be considered a contribution or expenditure to or on behalf of any such candidates for the purposes of this chapter.

Section 5. Subsection (1) of section 106.022, Florida Statutes, is amended to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, ~~committee of continuous existence,~~ or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the filing officer a statement of appointment for the registered office and registered agent. The statement of appointment must:

- (a) Provide the name of the registered agent and the street address and phone number for the registered office;
- (b) Identify the entity for whom the registered agent serves;
- (c) Designate the address the registered agent wishes to use to receive mail;
- (d) Include the entity's undertaking to inform the filing officer of any change in such designated address;
- (e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and
- (f) Contain the signature of the registered agent and the entity engaging the registered agent.

Section 6. Paragraph (c) of subsection (1) of section 106.025, Florida Statutes, is amended to read:

106.025 Campaign fund raisers.—

- (1)
 - (c) Any tickets or advertising for ~~such~~ a campaign fund raiser *must comply with* ~~is exempt from~~ the requirements of s. 106.143.

Section 7. Paragraph (b) of subsection (1) and subsection (2) of section 106.03, Florida Statutes, are amended to read:

106.03 Registration of political committees and electioneering communications organizations.—

- (1)
 - (b)1. Each group shall file a statement of organization as an electioneering communications organization within 24 hours after the date on which it makes expenditures for an electioneering communication in excess of \$5,000, if such expenditures are made within the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures for an electioneering communication in excess of \$5,000 before the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~, it shall file the statement of organization within 24 hours after the 30th

day before a primary or special primary election, or within 24 hours after the 60th day before any other election, whichever is applicable.

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations need only file a statement of organization with the Division of Elections.

(2) The statement of organization shall include:

- (a) The name, mailing address, and street address of the committee or electioneering communications organization;
- (b) The names, street addresses, and relationships of affiliated or connected organizations, *including any affiliated sponsors*;
- (c) The area, scope, or jurisdiction of the committee or electioneering communications organization;
- (d) The name, mailing address, street address, and position of the custodian of books and accounts;
- (e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer, if any;
- (f) The name, address, office sought, and party affiliation of:
 1. Each candidate whom the committee is supporting;
 2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever;
- (g) Any issue or issues the committee is supporting or opposing;
- (h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;
- (i) A statement of whether the committee is a continuing one;
- (j) Plans for the disposition of residual funds which will be made in the event of dissolution;
- (k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds;

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; and

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

Section 8. Section 106.05, Florida Statutes, is amended to read:

106.05 Deposit of contributions; statement of campaign treasurer.— All funds received by the campaign treasurer of any candidate or political committee shall, prior to the end of the 5th business day following the receipt thereof, Saturdays, Sundays, and legal holidays excluded, be deposited in a campaign depository designated pursuant to s. 106.021, in an account *that contains the designated* ~~“~~ *(name of the candidate or committee.)* ~~”~~ *Campaign Account.* Except for contributions to political committees made by payroll deduction, all deposits shall be accompanied by

a bank deposit slip containing the name of each contributor and the amount contributed by each. If a contribution is deposited in a secondary campaign depository, the depository shall forward the full amount of the deposit, along with a copy of the deposit slip accompanying the deposit, to the primary campaign depository prior to the end of the 1st business day following the deposit.

Section 9. Section 106.07, Florida Statutes, is reenacted and amended to read:

106.07 Reports; certification and filing.—

(1) Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.021 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee. Except as provided in paragraphs (a) and (b) for the third calendar quarter immediately preceding a general election, reports shall be filed on the 10th day following the end of each calendar month quarter from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar month quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that which is not a Saturday, Sunday, or legal holiday. Monthly Quarterly reports shall include all contributions received and expenditures made during the calendar month quarter which have not otherwise been reported pursuant to this section.

(a) A statewide candidate or a political committee required to file reports with the division must file reports:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.

2. On the 10th day immediately preceding the general election, and each day thereafter, with the last daily report being filed the 5th day immediately preceding the general election. Except as provided in paragraph (b), the reports shall also be filed on the 32nd, 18th, and 4th days immediately preceding the primary and on the 46th, 32nd, 18th, and 4th days immediately preceding the election, for a candidate who is opposed in seeking nomination or election to any office, for a political committee, or for a committee of continuous existence.

(b) Any other candidate or a political committee required to file reports with a filing officer other than the division must file reports on the 60th day immediately preceding the primary election, and biweekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election. Any statewide candidate who has requested to receive contributions pursuant to the Florida Election Campaign Financing Act or any statewide candidate in a race with a candidate who has requested to receive contributions pursuant to the act shall also file reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to the general election.

(c) Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days after the date such candidate became unopposed. Such report shall contain all previously unreported contributions and expenditures as required by this section and shall reflect disposition of funds as required by s. 106.141.

(d)1. When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of such special election or the preceding special primary election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

2. When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days before prior to such election.

(e) The filing officer shall provide each candidate with a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, suffices as shall be proof of mailing in a timely manner. Reports other than daily reports must shall contain information on of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must shall contain information on of all previously unreported contributions received and expenditures made as of the day preceding that designated due date; daily reports must contain information on all previously unreported contributions received as of the preceding day. All such reports are shall be open to public inspection.

2. This subsection does not prohibit the governing body of a political subdivision, by ordinance or resolution, from imposing upon its own officers and candidates electronic filing requirements not in conflict with s. 106.0705. Expenditure of public funds for such purpose is deemed to be for a valid public purpose.

(b)1. Any report that is deemed to be incomplete by the officer with whom the candidate qualifies must shall be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed complete upon proof of delivery of a written notice to the mailing or street address of the campaign treasurer or registered agent of record with the filing officer.

(3) Reports required of a political committee shall be filed with the agency or officer before whom such committee registers pursuant to s. 106.03(3) and shall be subject to the same filing conditions as established for candidates' reports. Incomplete reports by political committees shall be treated in the manner provided for incomplete reports by candidates in subsection (2).

(4)(a) Except for daily reports, to which only the contributions provisions below apply, and except as provided in paragraph (b), each report required by this section must contain:

1. The full name, address, and occupation, if any of each person who has made one or more contributions to or for such committee or candidate within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which the reporting committee or the candidate received, or to which the reporting committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations, and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1. through 3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such committee or candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the committee or candidate within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made. However, expenditures made from the petty cash fund provided by s. 106.12 need not be reported individually.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses as provided in s. 106.021(3) has been made and which is not otherwise reported, including the amount, date, and purpose of such expenditure. However, expenditures made from the petty cash fund provided for in s. 106.12 need not be reported individually. Receipts for reimbursement for authorized expenditures shall be retained by the treasurer along with the records for the campaign account.

8. The total amount withdrawn and the total amount spent for petty cash purposes pursuant to this chapter during the reporting period.

9. The total sum of expenditures made by such committee or candidate during the reporting period.

10. The amount and nature of debts and obligations owed by or to the committee or candidate, which relate to the conduct of any political campaign.

11. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the treasurer with the records for the campaign account.

12. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

13. The primary purposes of an expenditure made indirectly through a campaign treasurer pursuant to s. 106.021(3) for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) Multiple uniform contributions from the same person, aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of a political committee, may be reported by the political committee in an aggregate amount listing the number of contributors together with the amount contributed by each and the total amount contributed during the reporting period. The identity of each person making such uniform contribution must be reported to the filing officer as provided in subparagraph (a)1. by July 1 of each calendar year, or, in a general election year, no later than the 60th day immediately preceding the primary election.

(c)(b) The filing officer shall make available to any candidate or committee a reporting form which the candidate or committee may use to indicate contributions received by the candidate or committee but returned to the contributor before deposit.

(5) The candidate and his or her campaign treasurer, in the case of a candidate, or the political committee chair and campaign treasurer of the committee, in the case of a political committee, shall certify as to the correctness of each report; and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer, candidate, or political committee chair who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6) The records maintained by the campaign depository with respect to any campaign account regulated by this chapter are subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such de-

pository shall furnish certified copies of any of such records to the Division of Elections or Florida Elections Commission upon request.

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate *or*, political committee, ~~or committee of continuous existence~~ has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate *or*, political committee, ~~or committee of continuous existence~~ not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

(8)(a) Any candidate or political committee failing to file a report on the designated due date is subject to a fine as provided in paragraph (b) for each late day, and, in the case of a candidate, such fine shall be paid only from personal funds of the candidate. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of a candidate for state office or a political committee that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of a candidate for an office of a political subdivision or a political committee that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine ~~is shall be~~ \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine ~~is shall be~~ \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. ~~106.141(8)~~ ~~106.141(7)~~, the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer. In the case of a candidate, such fine ~~is shall~~ not be an allowable campaign expenditure and shall be paid only from personal funds of the candidate. An officer or member of a political committee ~~is shall~~ not be personally liable for such fine.

(c) Any candidate or chair of a political committee may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when de-

termining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the candidate or chair of the political committee shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by a candidate or political committee, the failure of a candidate or political committee to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. 106.25(2).

(9) The Department of State may prescribe by rule the requirements for filing campaign treasurers' reports as set forth in this chapter.

Section 10. Section 106.0702, Florida Statutes, is created to read:

106.0702 Reporting; political party executive committee candidates.—

(1) *An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure shall file a report of all contributions received and all expenditures made. The report shall be filed on the 4th day immediately preceding the primary election.*

(2)(a) *The report shall be filed with the supervisor of elections of the appropriate county. Reports shall be filed no later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service by the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due is proof of mailing in a timely manner. The report filed must contain information of all contributions received and expenditures made as of the day preceding the designated due date. All such reports must be open to public inspection.*

(b) *A reporting individual may submit the report required under this section through an electronic filing system, if used by the supervisor for other candidates, in order to satisfy the filing requirement. Such reports shall be completed and filed through the electronic filing system not later than midnight on the 4th day immediately preceding the primary election.*

(3)(a) *A report that is deemed to be incomplete by the supervisor shall be accepted on a conditional basis. The supervisor shall send a notice to the reporting individual by certified mail or by another method using a common carrier that provides proof of delivery as to why the report is incomplete. Within 7 days after receipt of such notice, the reporting individual must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.*

(b) *Notice is deemed complete upon proof of delivery of a written notice to the mailing or street address that is on record with the supervisor.*

(4)(a) *Each report required by this section must contain:*

1. *The full name, address, and occupation of each person who has made one or more contributions to or for the reporting individual within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporations. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.*

2. *The name and address of each political committee from which the reporting individual has received, or to which the reporting individual has made, any transfer of funds within the reporting period, together with the amounts and dates of all transfers.*

3. *Each loan for campaign purposes from any person or political committee within the reporting period, together with the full name, address, and occupation, and principal place of business, if any, of the lender and endorser, if any, and the date and amount of such loans.*

4. *A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.*

5. *The total sums of all loans, in-kind contributions, and other receipts by or for such reporting individual during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.*

6. *The full name and address of each person to whom expenditures have been made by or on behalf of the reporting individual within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address of, and office sought by, each reporting individual on whose behalf such expenditure was made.*

7. *The amount and nature of debts and obligations owed by or to the reporting individual which relate to the conduct of any political campaign.*

8. *Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the reporting individual.*

9. *The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.*

(b) *The supervisor shall make available to any reporting individual a reporting form that the reporting individual may use to indicate contributions received by the reporting individual but returned to the contributor before deposit.*

(5) *The reporting individual shall certify as to the correctness of the report and shall bear the responsibility for the accuracy and veracity of each report. Any reporting individual who willfully certifies the correctness of the report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

(6) *Notwithstanding any other provisions of this chapter, the filing of the required report is waived if the reporting individual has not received contributions or expended any reportable funds.*

(7)(a) *A reporting individual who fails to file a report on the designated due date is subject to a fine, and such fine shall be paid only from personal funds of the reporting individual. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater. The fine shall be assessed by the supervisor, and the moneys collected shall be deposited into the general revenue fund of the political subdivision.*

(b) *The supervisor shall determine the amount of the fine due based upon the earliest of the following:*

1. *When the report is actually received by the supervisor;*
2. *When the report is postmarked;*
3. *When the certificate of mailing is dated;*
4. *When the receipt from an established courier company is dated; or*
5. *When the report is completed and filed through the electronic filing system, if applicable.*

Such fine shall be paid to the supervisor within 20 days after receipt of the notice of payment due unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the supervisor. Such fine may not be an allowable campaign expenditure and shall be paid only from personal funds of the reporting individual.

(c) *A reporting individual may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file*

on the designated due date, and may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the reporting individual must, within 20 days after receipt of the notice, notify the supervisor in writing of his or her intention to bring the matter before the commission.

(d) The appropriate supervisor shall notify the Florida Elections Commission of the late filing by a reporting individual, the failure of a reporting individual to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the supervisor and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. 106.25(2).

Section 11. Section 106.0703, Florida Statutes, is reenacted and amended to read:

106.0703 Electioneering communications organizations; reporting requirements; certification and filing; penalties.—

(1)(a) Each electioneering communications organization shall file regular reports of all contributions received and all expenditures made by or on behalf of the organization. Except as provided in paragraphs (b) and (c), reports must ~~shall~~ be filed on the 10th day following the end of each calendar ~~month~~ ~~quarter~~ from the time the organization is registered. However, if the 10th day following the end of a calendar ~~month~~ ~~quarter~~ occurs on a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be filed on the next following day that is not a Saturday, Sunday, or legal holiday. ~~Monthly~~ ~~Quarterly~~ reports must ~~shall~~ include all contributions received and expenditures made during the calendar ~~month~~ ~~quarter~~ that have not otherwise been reported pursuant to this section.

(b) For an electioneering communications organization required to file reports with the division, reports must be filed:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.

2. On the 10th day immediately preceding the general election, and every day thereafter excluding the 4th day immediately preceding the general election, with the last daily report being filed the day before the general election. ~~Following the last day of candidates qualifying for office, the reports shall be filed on the 32nd, 18th, and 4th days immediately preceding the primary election and on the 46th, 32nd, 18th, and 4th days immediately preceding the general election.~~

(c) For an electioneering communications organization required to file reports with a filing officer other than the division, reports must be filed on the 60th day immediately preceding the primary election, and biweekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

(d)(e) When a special election is called to fill a vacancy in office, all electioneering communications organizations making contributions or expenditures to influence the results of the special election shall file reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

(e)(d) In addition to the reports required by paragraph (a), an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

(f)(e) The filing officer shall make available to each electioneering communications organization a schedule designating the beginning and

end of reporting periods as well as the corresponding designated due dates.

(2)(a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated is ~~shall be~~ deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is ~~shall be~~ deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, suffices as ~~shall be~~ proof of mailing in a timely manner. Reports other than daily reports must ~~shall~~ contain information on ~~of~~ all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must ~~shall~~ contain information on ~~of~~ all previously unreported contributions received and expenditures made as of the day preceding the designated due date; *daily reports must contain information on all previously unreported contributions received as of the preceding day.* All such reports are ~~shall be~~ open to public inspection.

(b)1. Any report that is deemed to be incomplete by the officer with whom the electioneering communications organization files shall be accepted on a conditional basis. The treasurer of the electioneering communications organization shall be notified, by certified mail or other common carrier that can establish proof of delivery for the notice, as to why the report is incomplete. Within 7 days after receipt of such notice, the treasurer must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address of the treasurer or registered agent of the electioneering communication organization on record with the filing officer.

(3)(a) Except for daily reports, to which only the contribution provisions below apply, each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such electioneering communications organization within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which or to which the reporting electioneering communications organization made any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for electioneering communication purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such electioneering communications organization during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the electioneering communications organization within the reporting period and the amount, date, and purpose of each expenditure.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for expenses has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

8. The total sum of expenditures made by the electioneering communications organization during the reporting period.

9. The amount and nature of debts and obligations owed by or to the electioneering communications organization that relate to the conduct of any electioneering communication.

10. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the electioneering communications organization.

11. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

12. The primary purposes of an expenditure made indirectly through an electioneering communications organization for goods and services, such as communications media placement or procurement services and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any electioneering communications organization a reporting form which the electioneering communications organization may use to indicate contributions received by the electioneering communications organization but returned to the contributor before deposit.

(4) The treasurer of the electioneering communications organization shall certify as to the correctness of each report, and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) The electioneering communications organization depository shall provide statements reflecting deposits and expenditures from the account to the treasurer, who shall retain the records pursuant to s. 106.06. The records maintained by the depository with respect to the account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any such records to the Division of Elections or the Florida Elections Commission upon request.

(6) Notwithstanding any other provisions of this chapter, in any reporting period during which an electioneering communications organization has not received funds, made any contributions, or expended any reportable funds, the treasurer shall file a written report with the filing officer by the prescribed reporting date that no reportable contributions or expenditures were made during the reporting period.

(7)(a) Any electioneering communications organization failing to file a report on the designated due date shall be subject to a fine as provided in paragraph (b) for each late day. The fine shall be assessed by the filing officer, and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of an electioneering communications organization that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of an electioneering communications organization that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the electioneering communications organization as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the

first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the electioneering communications organization. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address on record with the filing officer. An officer or member of an electioneering communications organization shall not be personally liable for such fine.

(c) The treasurer of an electioneering communications organization may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the treasurer of the electioneering communications organization shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by an electioneering communications organization, the failure of an electioneering communications organization to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be stated separately and reported by the division to the commission under s. 106.25(2).

(8) Electioneering communications organizations shall not use credit cards.

Section 12. Section 106.0705, Florida Statutes, is reenacted and amended to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(1) As used in this section, "electronic filing system" means an Internet system for recording and reporting campaign finance activity by reporting period.

(2)(a) Each individual who is required to file reports with the division pursuant to s. 106.07 or s. 106.141 must file such reports by means of the division's electronic filing system.

(b) Each political committee, ~~committee of continuous existence~~, electioneering communications organization, affiliated party committee, or state executive committee that is required to file reports with the division under ~~s. 106.04~~, s. 106.07, s. 106.0703, or s. 106.29, as applicable, must file such reports with the division by means of the division's electronic filing system.

(c) Each person or organization that is required to file reports with the division under s. 106.071 must file such reports by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under ~~s. 106.04(9)~~; s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

(4) Each report filed pursuant to this section is considered to be under oath by the candidate and treasurer, the chair and treasurer, the treasurer under s. 106.0703, or the leader and treasurer under s. 103.092, whichever is applicable, and such persons are subject to the provisions of ~~s. 106.04(4)(a)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable. Persons given a secure sign-on to the electronic filing system are responsible for protecting such from disclosure and are responsible for all filings using such credentials, unless they have notified the division that their credentials have been compromised.

(5) The electronic filing system developed by the division must:

- (a) Be based on access by means of the Internet.
- (b) Be accessible by anyone with Internet access using standard web-browsing software.
- (c) Provide for direct entry of campaign finance information as well as upload of such information from campaign finance software certified by the division.
- (d) Provide a method that prevents unauthorized access to electronic filing system functions.

(6) The division shall adopt rules pursuant to ~~ss. 120.536(1) and 120.54~~ to administer this section and provide for the reports required to be filed pursuant to this section. Such rules shall, at a minimum, provide:

- (a) Alternate filing procedures in case the division's electronic filing system is not operable.
- (b) For the issuance of an electronic receipt to the person submitting the report indicating and verifying that the report has been filed.

Section 13. Section 106.08, Florida Statutes, is amended to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, no person ~~or; political committee, or committee of continuous existence~~ may, in any election, make contributions ~~in excess of the following amounts: in excess of \$500 to any candidate for election to or retention in office or to any political committee supporting or opposing one or more candidates.~~

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, \$3,000. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

2. To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, \$1,000.

~~(b) The contribution limits provided in this subsection do not apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by chapter 103 or to amounts contributed by a candidate to his or her own campaign.~~

~~2. Notwithstanding the limits provided in this subsection, an unemancipated child under the age of 18 years of age may not make a contribution in excess of \$100 to any candidate or to any political committee supporting one or more candidates.~~

(c) The contribution limits of this subsection apply to each election. For purposes of this subsection, the primary election and general election are separate elections so long as the candidate is not an unopposed candidate as defined in s. ~~106.011~~ 106.011(15). However, for the purpose of contribution limits with respect to candidates for retention as a justice or judge, there is only one election, which is the general election.

(2)(a) A candidate may not accept contributions from a county executive committee of a political party whose contributions in the aggregate exceed \$50,000, or from the national or, state, or county executive committees of a political party, including any subordinate committee of such political party or affiliated party committees, whose ~~which~~ contributions in the aggregate exceed \$50,000.

(b) A candidate for statewide office may not accept contributions from national, state, or county executive committees of a political party, including any subordinate committee of the political party, or affiliated party committees, which contributions in the aggregate exceed \$250,000. Polling services, research services, costs for campaign staff, professional consulting services, and telephone calls are not contributions to be counted toward the contribution limits of paragraph (a) or this paragraph. Any item not expressly identified in this paragraph as nonallocable is a contribution in an amount equal to the fair market value of the item and must be counted as allocable toward the contribution limits of paragraph (a) or this paragraph. Nonallocable, in-kind contributions must be reported by the candidate under s. 106.07 and by the political party or affiliated party committee under s. 106.29.

(3)(a) Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days before ~~prior to~~ the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

(b) Any contribution received by a candidate or by the campaign treasurer or a deputy campaign treasurer of a candidate after the date at which the candidate withdraws his or her candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office must be returned to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

(4) Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days before ~~prior to~~ the day of that election may not be obligated or expended by the committee until after the date of the election.

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, affiliated party committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, affiliated party committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organization established primarily for the public good. It is not a violation of this paragraph for:

1. A candidate, political committee, affiliated party committee, or political party executive committee to make gifts of money in lieu of flowers in memory of a deceased person;

2. A candidate to continue membership in, or make regular donations from personal or business funds to, religious, political party, affiliated party committee, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than 6 months; or

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, affiliated party committee, or charitable groups.

(6)(a) A political party or affiliated party committee may not accept any contribution that has been specifically designated for the partial or exclusive use of a particular candidate. Any contribution so designated must be returned to the contributor and may not be used or expended by or on behalf of the candidate. Funds contributed to an affiliated party committee ~~may shall~~ not be ~~deemed as~~ designated for the partial or exclusive use of a leader as defined in s. 103.092.

(b)1. A political party or affiliated party committee may not accept any in-kind contribution that fails to provide a direct benefit to the political party or affiliated party committee. A “direct benefit” includes, but is not limited to, fundraising or furthering the objectives of the political party or affiliated party committee.

2.a. An in-kind contribution to a state political party may be accepted only by the chairperson of the state political party or by the chairperson’s designee or designees whose names are on file with the division in a form acceptable to the division ~~before~~ prior to the date of the written notice required in sub-subparagraph b. An in-kind contribution to a county political party may be accepted only by the chairperson of the county political party or by the county chairperson’s designee or designees whose names are on file with the supervisor of elections of the respective county ~~before~~ prior to the date of the written notice required in sub-subparagraph b. An in-kind contribution to an affiliated party committee may be accepted only by the leader of the affiliated party committee as defined in s. 103.092 or by the leader’s designee or designees whose names are on file with the division in a form acceptable to the division ~~before~~ prior to the date of the written notice required in sub-subparagraph b.

b. A person making an in-kind contribution to a state or county political party or affiliated party committee must provide prior written notice of the contribution to a person described in sub-subparagraph a. The prior written notice must be signed and dated and may be provided by an electronic or facsimile message. However, prior written notice is not required for an in-kind contribution that consists of food and beverage in an aggregate amount not exceeding \$1,500 which is consumed at a single sitting or event if such in-kind contribution is accepted in advance by a person specified in sub-subparagraph a.

c. A person described in sub-subparagraph a. may accept an in-kind contribution requiring prior written notice only in a writing that is dated before the in-kind contribution is made. Failure to obtain the required written acceptance of an in-kind contribution to a state or county political party or affiliated party committee constitutes a refusal of the contribution.

d. A copy of each prior written acceptance required under sub-subparagraph c. must be filed at the time the regular reports of contributions and expenditures required under s. 106.29 are filed by the state executive committee, county executive committee, and affiliated party committee. A state executive committee and an affiliated party committee must file with the division. A county executive committee must file with the county’s supervisor of elections.

e. An in-kind contribution may not be given to a state or county political party or affiliated party committee unless the in-kind contribution is made as provided in this subparagraph.

(7)(a) Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, affiliated party committee, political committee, ~~committee of continuous existence~~, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$1,000 and not more than \$10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, affiliated party committee, political committee, ~~committee of continuous existence~~, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, affiliated party committee, political com-

mittee, ~~committee of continuous existence~~, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$10,000 and not more than \$50,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, ~~committee of continuous existence~~, political party, affiliated party committee, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) Except when otherwise provided in subsection (7), any person who knowingly and willfully violates any provision of this section shall, in addition to any other penalty prescribed by this chapter, pay to the state a sum equal to twice the amount contributed in violation of this chapter. Each campaign treasurer shall pay all amounts contributed in violation of this section to the state for deposit in the General Revenue Fund.

(9) This section does not apply to the transfer of funds between a primary campaign depository and a savings account or certificate of deposit or to any interest earned on such account or certificate.

(10) Contributions to a political committee ~~or committee of continuous existence~~ may be received by an affiliated organization and transferred to the bank account of the political committee ~~or committee of continuous existence~~ via check written from the affiliated organization if such contributions are specifically identified as intended to be contributed to the political committee ~~or committee of continuous existence~~. All contributions received in this manner shall be reported pursuant to s. 106.07 by the political committee ~~or committee of continuous existence~~ as having been made by the original contributor.

Section 14. Section 106.11, Florida Statutes, is reenacted and amended to read:

106.11 Expenses of and expenditures by candidates and political committees.—Each candidate and each political committee which designates a primary campaign depository pursuant to s. 106.021(1) shall make expenditures from funds on deposit in such primary campaign depository only in the following manner, with the exception of expenditures made from petty cash funds provided by s. 106.12:

(1)(a) The campaign treasurer or deputy campaign treasurer of a candidate or political committee shall make expenditures from funds on deposit in the primary campaign depository only by means of a bank check drawn upon the campaign account of the candidate or political committee. The campaign account shall be separate from any personal or other account and shall be used only for the purpose of depositing contributions and making expenditures for the candidate or political committee.

(b) The checks for such account shall contain, as a minimum, the following information:

1. The statement “~~the statement “~~^(name of the campaign account of the candidate or political committee.) ~~Campaign Account.”~~”
2. The account number and the name of the bank.
3. The exact amount of the expenditure.
4. The signature of the campaign treasurer or deputy treasurer.
5. The exact purpose for which the expenditure is authorized.
6. The name of the payee.

(2)(a) For purposes of this section, debit cards are considered bank checks, if:

1. Debit cards are obtained from the same bank that has been designated as the candidate’s or political committee’s primary campaign depository.

2. Debit cards are issued in the name of the treasurer, deputy treasurer, or authorized user and *contain the state* “~~the name of the campaign account of the candidate or political committee.~~” ~~“Campaign Account.”~~

3. No more than three debit cards are requested and issued.

4. The person using the debit card does not receive cash as part of, or independent of, any transaction for goods or services.

5. All receipts for debit card transactions contain:

a. The last four digits of the debit card number.

b. The exact amount of the expenditure.

c. The name of the payee.

d. The signature of the campaign treasurer, deputy treasurer, or authorized user.

e. The exact purpose for which the expenditure is authorized.

Any information required by this subparagraph but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer.

(b) Debit cards are not subject to the requirements of paragraph (1)(b).

(3) The campaign treasurer, deputy treasurer, or authorized user who signs the check shall be responsible for the completeness and accuracy of the information on such check and for insuring that such expenditure is an authorized expenditure.

(4) No candidate, campaign manager, treasurer, deputy treasurer, or political committee or any officer or agent thereof, or any person acting on behalf of any of the foregoing, shall authorize any expenses, nor shall any campaign treasurer or deputy treasurer sign a check drawn on the primary campaign account for any purpose, unless there are sufficient funds on deposit in the primary depository account of the candidate or political committee to pay the full amount of the authorized expense, to honor all other checks drawn on such account, which checks are outstanding, and to meet all expenses previously authorized but not yet paid. However, an expense may be incurred for the purchase of goods or services if there are sufficient funds on deposit in the primary depository account to pay the full amount of the incurred expense, to honor all checks drawn on such account, which checks are outstanding, and to meet all other expenses previously authorized but not yet paid, provided that payment for such goods or services is made upon final delivery and acceptance of the goods or services; and an expenditure from petty cash pursuant to the provisions of s. 106.12 may be authorized, if there is a sufficient amount of money in the petty cash fund to pay for such expenditure. Payment for credit card purchases shall be made pursuant to s. 106.125. Any expense incurred or authorized in excess of such funds on deposit shall, in addition to other penalties provided by law, constitute a violation of this chapter. As used in this subsection, the term “sufficient funds on deposit in the primary depository account of the candidate or political committee” means that the funds at issue have been delivered for deposit to the financial institution at which such account is maintained. The term shall not be construed to mean that such funds are available for withdrawal in accordance with the deposit rules or the funds availability policies of such financial institution.

(5) A candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office may expend funds from the campaign account to:

(a) Purchase “thank you” advertising for up to 75 days after he or she withdraws, becomes unopposed, or is eliminated or elected.

(b) Pay for items which were obligated before he or she withdrew, became unopposed, or was eliminated or elected.

(c) Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.

(d) Dispose of surplus funds as provided in s. 106.141.

(6) A candidate who makes a loan to his or her campaign and reports the loan as required by s. 106.07 may be reimbursed for the loan at any time the campaign account has sufficient funds to repay the loan and satisfy its other obligations.

Section 15. Section 106.141, Florida Statutes, is amended to read:

106.141 Disposition of surplus funds by candidates.—

(1) *Except as provided in subsection (6)*, each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office shall, within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds. Such candidate ~~may shall~~ not accept any contributions, nor ~~may shall~~ any person accept contributions on behalf of such candidate, after the candidate withdraws his or her candidacy, becomes unopposed, or is eliminated or elected. However, if a candidate receives a refund check after all surplus funds have been disposed of, the check may be endorsed by the candidate and the refund disposed of under this section. An amended report must be filed showing the refund and subsequent disposition.

(2) Any candidate required to dispose of funds pursuant to this section may, ~~before~~ ~~prior to~~ such disposition, be reimbursed by the campaign, in full or in part, for any reported contributions by the candidate to the campaign.

(3) The campaign treasurer of a candidate who withdraws his or her candidacy, becomes unopposed, or is eliminated as a candidate or elected to office and who has funds on deposit in a separate interest-bearing account or certificate of deposit shall, within 7 days after the date of becoming unopposed or the date of such withdrawal, elimination, or election, transfer such funds and the accumulated interest earned thereon to the campaign account of the candidate for disposal under this section. However, if the funds are in an account in which penalties will apply for withdrawal within the 7-day period, the campaign treasurer shall transfer such funds and the accumulated interest earned thereon as soon as the funds can be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws his or her candidacy, or is eliminated or elected, whichever comes first.

(4)(a) Except as provided in paragraph (b), any candidate required to dispose of funds pursuant to this section shall, at the option of the candidate, dispose of such funds by any of the following means, or any combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.

2. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code.

3. Give *not more than \$25,000* of the funds that have not been spent or obligated to the affiliated party committee or political party of which such candidate is a member.

4. Give the funds that have not been spent or obligated:

a. In the case of a candidate for state office, to the state, to be deposited in either the Election Campaign Financing Trust Fund or the General Revenue Fund, as designated by the candidate; or

b. In the case of a candidate for an office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.

(b) Any candidate required to dispose of funds pursuant to this section who has received contributions pursuant to the Florida Election Campaign Financing Act shall, after all monetary commitments pursuant to s. 106.11(5)(b) and (c) have been met, return all surplus campaign funds to the General Revenue Fund.

(5) A candidate elected to office or a candidate who will be elected to office by virtue of his or her being unopposed may, in addition to the disposition methods provided in subsection (4), transfer from the campaign account to an office account any amount of the funds on deposit in such campaign account up to:

(a) ~~Fifty Twenty~~ thousand dollars, for a candidate for statewide office. The Governor and Lieutenant Governor shall be considered separate candidates for the purpose of this section.

(b) ~~Ten Five~~ thousand dollars, for a candidate for multicounty office.

(c) ~~Ten Five~~ thousand dollars multiplied by the number of years in the term of office for which elected, for a candidate for legislative office.

(d) ~~Five thousand Two thousand five hundred~~ dollars multiplied by the number of years in the term of office for which elected, for a candidate for county office or for a candidate in any election conducted on less than a countywide basis.

(e) Six thousand dollars, for a candidate for retention as a justice of the Supreme Court.

(f) Three thousand dollars, for a candidate for retention as a judge of a district court of appeal.

(g) ~~Three thousand One thousand five hundred~~ dollars, for a candidate for county court judge or circuit judge.

The office account established pursuant to this subsection shall be separate from any personal or other account. Any funds so transferred by a candidate shall be used only for legitimate expenses in connection with the candidate's public office. Such expenses may include travel expenses incurred by the officer or a staff member; personal taxes payable on office account funds by the candidate or elected public official; professional services provided by a certified public accountant or attorney for preparation of the elected public official's financial disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs to prepare, print, produce, and mail holiday cards or newsletters about the elected public official's public business to constituents if such correspondence does not constitute a political advertisement, independent expenditure, or electioneering communication as provided in s. 106.011; fees or dues to religious, civic, or charitable organizations of which the elected public official is a member; items of modest value such as flowers, greeting cards, or personal notes given as a substitute for, or in association with, an elected public official's personal attendance at a constituent's special event or family occasion, such as the birth of a child, graduation, wedding, or funeral; personal expenses incurred by the elected public official in connection with attending a constituent meeting or event where public policy is discussed, if such meetings or events are limited to no more than once a week; or expenses incurred in the operation of the elected public official's ~~his or her~~ office, including the employment of additional staff. The funds may be deposited in a savings account; however, all deposits, withdrawals, and interest earned thereon shall be reported at the appropriate reporting period. If a candidate is reelected to office or elected to another office and has funds remaining in his or her office account, he or she may transfer surplus campaign funds to the office account. At no time may the funds in the office account exceed the limitation imposed by this subsection. Upon leaving public office, any person who has funds in an office account pursuant to this subsection remaining on deposit shall use such funds to pay for professional services provided by a certified public accountant or attorney for preparation of the elected public official's final financial disclosure filing pursuant to s. 112.3144 or s. 112.3145, or give such funds to a charitable organization that meets ~~or organizations which meet~~ the requirements of s. 501(c)(3) of the Internal Revenue Code or, in the case of a state officer, to the state to be deposited in the General Revenue Fund or, in the case of an officer of a political subdivision, to the political subdivision to be deposited in the general fund thereof.

(6)(a) For purposes of this subsection, the term "same office" with respect to legislative office means an office in the same legislative body, irrespective of district number or designation or geographic boundary.

(b) A candidate elected to state office or a candidate who will be elected to state office by virtue of his or her being unopposed after candidate qualifying ends, may retain up to \$20,000 in his or her campaign account, or in an interest-bearing account or certificate of deposit, for use in his or her next campaign for the same office, in addition to the disposition methods provided in subsections (4) and (5). All requirements applicable to candidate campaign accounts under this chapter, including disclosure requirements applicable to candidate campaign accounts, limitations on expenditures, and limitations on contributions, apply to any retained funds.

(c) If a candidate who has retained funds under this subsection does not qualify as a candidate for reelection to the same office, all retained funds shall be disposed of as otherwise required by this section or s. 106.11(5) within 90 days after the last day of candidate qualifying for that office. Requirements in this section applicable to the disposal of surplus funds, including reporting requirements, are applicable to the disposal of retained funds.

(7)(6) Before ~~Prior to~~ disposing of funds pursuant to subsection (4), ~~or transferring funds into an office account pursuant to subsection (5), or retaining funds for reelection pursuant to subsection (6), any candidate who filed an oath stating that he or she was unable to pay the election assessment or fee for verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, or who filed both such oaths, or who qualified by the petition process and was not required to pay an election assessment, shall reimburse the state or local governmental entity, whichever is applicable, for such waived assessment or fee or both. Such reimbursement shall be made first for the cost of petition verification and then, if funds are remaining, for the amount of the election assessment. If there are insufficient funds in the account to pay the full amount of either the assessment or the fee or both, the remaining funds shall be disbursed in the above manner until no funds remain. All funds disbursed pursuant to this subsection shall be remitted to the qualifying officer. Any reimbursement for petition verification costs which are reimbursable by the state shall be forwarded by the qualifying officer to the state for deposit in the General Revenue Fund. All reimbursements for the amount of the election assessment shall be forwarded by the qualifying officer to the Department of State for deposit in the General Revenue Fund.~~

(8)(a)(7)(a) Any candidate required to dispose of campaign funds pursuant to this section shall do so within the time required by this section and shall, on or before the date by which such disposition is to have been made, shall file with the officer with whom reports are required to be filed pursuant to s. 106.07 a form prescribed by the Division of Elections listing:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;
2. The name and address of each person to whom an expenditure was made, together with the amount thereof and purpose therefor; ~~and~~
3. The amount of such funds transferred to an office account by the candidate, together with the name and address of the bank, savings and loan association, or credit union in which the office account is located; and
4. The amount of such funds retained pursuant to subsection (6), together with the name and address of the bank, savings and loan association, or credit union in which the retained funds are located.

Such report shall be signed by the candidate and the campaign treasurer and certified as true and correct pursuant to s. 106.07.

(b) The filing officer shall notify each candidate at least 14 days before the date the report is due.

(c) Any candidate failing to file a report on the designated due date shall be subject to a fine as provided in s. 106.07 for submitting late termination reports.

(9)(8) Any candidate elected to office who transfers surplus campaign funds into an office account pursuant to subsection (5) shall file a report on the 10th day following the end of each calendar quarter until the account is closed. Such reports shall contain the name and address of each person to whom any disbursement of funds was made, together with the amount thereof and the purpose therefor, and the name and address of any person from whom the elected candidate received any refund or reimbursement and the amount thereof. Such reports shall be on forms prescribed by the Division of Elections, signed by the elected candidate, certified as true and correct, and filed with the officer with whom campaign reports were filed pursuant to s. 106.07(2).

(10)(9) Any candidate, or any person on behalf of a candidate, who accepts contributions after such candidate has withdrawn his or her candidacy, after the candidate has become an unopposed candidate, or

after the candidate has been eliminated as a candidate or elected to office commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(11)(10) Any candidate who is required by the provisions of this section to dispose of funds in his or her campaign account and who fails to dispose of the funds in the manner provided in this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 16. *By December 1, 2013, the Division of Elections shall submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory statewide electronic filing system for all state and local campaign filings required by s. 106.07, s. 106.0703, or s. 106.29.*

Section 17. Subsection (3) of section 101.62, Florida Statutes, is amended to read:

101.62 Request for absentee ballots.—

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees ~~or registered committees of continuous existence~~, for political purposes only.

Section 18. Paragraph (a) of subsection (4) of section 102.031, Florida Statutes, is amended to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4)(a) No person, political committee, ~~committee of continuous existence~~, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, or polling room where the polling place is also a polling room, or early voting site. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

Section 19. Subsection (2) of section 106.087, Florida Statutes, is amended to read:

106.087 Independent expenditures; contribution limits; restrictions on political parties *and*; political committees, ~~and committees of continuous existence~~.—

(2)(a) Any political committee ~~or committee of continuous existence~~ that accepts the use of public funds, equipment, personnel, or other resources to collect dues from its members agrees not to make independent expenditures in support of or opposition to a candidate or elected public official. However, expenditures may be made for the sole purpose of jointly endorsing three or more candidates.

(b) Any political committee ~~or committee of continuous existence~~ that violates this subsection is liable for a civil fine of up to \$5,000 to be determined by the Florida Elections Commission or the entire amount of the expenditures, whichever is greater.

Section 20. Subsection (3) of section 106.12, Florida Statutes, is amended to read:

106.12 Petty cash funds allowed.—

(3) The petty cash fund so provided ~~may shall~~ be spent only in amounts less than \$100 and only for office supplies, transportation expenses, and other necessities. Petty cash ~~may shall~~ not be used for the purchase of time, space, or services from communications media as defined in s. 106.011 ~~106.011(13)~~.

Section 21. Paragraph (b) of subsection (3) of section 106.147, Florida Statutes, is amended to read:

106.147 Telephone solicitation; disclosure requirements; prohibitions; exemptions; penalties.—

(3)

(b) For purposes of paragraph (a), the term "person" includes any candidate; any officer of any political committee, ~~committee of continuous existence~~, affiliated party committee, or political party executive committee; any officer, partner, attorney, or other representative of a corporation, partnership, or other business entity; and any agent or other person acting on behalf of any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, political party executive committee, or corporation, partnership, or other business entity.

Section 22. Section 106.17, Florida Statutes, is amended to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, ~~committee of continuous existence~~, electioneering communication organization, affiliated party committee, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, ~~committee of continuous existence~~, electioneering communication organization, affiliated party committee, or political party maintains complete jurisdiction over the poll in all its aspects. State and county executive committees of a political party or an affiliated party committee may authorize and conduct political polls for the purpose of determining the viability of potential candidates. Such poll results may be shared with potential candidates, and expenditures incurred by state and county executive committees or an affiliated party committee for potential candidate polls are not contributions to the potential candidates.

Section 23. Subsection (2) of section 106.23, Florida Statutes, is amended to read:

106.23 Powers of the Division of Elections.—

(2) The Division of Elections shall provide advisory opinions when requested by any supervisor of elections, candidate, local officer having election-related duties, political party, affiliated party committee, political committee, ~~committee of continuous existence~~, or other person or organization engaged in political activity, relating to any provisions or possible violations of Florida election laws with respect to actions such as supervisor, candidate, local officer having election-related duties, political party, affiliated party committee, committee, person, or organization has taken or proposes to take. Requests for advisory opinions must be submitted in accordance with rules adopted by the Department of State. A written record of all such opinions issued by the division, sequentially numbered, dated, and indexed by subject matter, shall be retained. A copy shall be sent to said person or organization upon request. Any such person or organization, acting in good faith upon such an advisory opinion, shall not be subject to any criminal penalty provided for in this chapter. The opinion, until amended or revoked, shall be binding on any person or organization who sought the opinion or with reference to whom the opinion was sought, unless material facts were omitted or misstated in the request for the advisory opinion.

Section 24. Subsections (2) and (3) of section 106.265, Florida Statutes, are amended to read:

106.265 Civil penalties.—

(2) In determining the amount of such civil penalties, the commission or administrative law judge shall consider, among other mitigating and aggravating circumstances:

(a) The gravity of the act or omission;

(b) Any previous history of similar acts or omissions;

(c) The appropriateness of such penalty to the financial resources of the person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party; and

(d) Whether the person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party has shown good faith in attempting to comply with the provisions of this chapter or chapter 104.

(3) If any person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party fails or refuses to pay to the commission any civil penalties assessed pursuant to the provisions of this section, the commission shall be responsible for collecting the civil penalties resulting from such action.

Section 25. Subsection (2) of section 106.27, Florida Statutes, is amended to read:

106.27 Determinations by commission; legal disposition.—

(2) Civil actions may be brought by the commission for relief, including permanent or temporary injunctions, restraining orders, or any other appropriate order for the imposition of civil penalties provided by this chapter. Such civil actions shall be brought by the commission in the appropriate court of competent jurisdiction, and the venue shall be in the county in which the alleged violation occurred or in which the alleged violator or violators are found, reside, or transact business. Upon a proper showing that such person, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party has engaged, or is about to engage, in prohibited acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court, and the civil fines provided by this chapter may be imposed.

Section 26. Subsection (3) of section 106.32, Florida Statutes, is amended to read:

106.32 Election Campaign Financing Trust Fund.—

(3) Proceeds from assessments pursuant to ss. ~~106.04~~, 106.07, and 106.29 shall be deposited into the Election Campaign Financing Trust Fund as designated in those sections.

Section 27. Section 106.33, Florida Statutes, is amended to read:

106.33 Election campaign financing; eligibility.—Each candidate for the office of Governor or member of the Cabinet who desires to receive contributions from the Election Campaign Financing Trust Fund ~~shall~~, upon qualifying for office, *shall* file a request for such contributions with the filing officer on forms provided by the Division of Elections. If a candidate requesting contributions from the fund desires to have such funds distributed by electronic fund transfers, the request shall include information necessary to implement that procedure. For the purposes of ss. 106.30-106.36, *the respective candidates running for Governor and Lieutenant Governor on the same ticket shall be considered as a single candidate. To be eligible to receive contributions from the fund, a candidate may not be an unopposed candidate as defined in s. 106.011* ~~106.011(15)~~ and must:

(1) Agree to abide by the expenditure limits provided in s. 106.34.

(2)(a) Raise contributions as follows:

1. One hundred fifty thousand dollars for a candidate for Governor.
2. One hundred thousand dollars for a candidate for Cabinet office.

(b) Contributions from individuals who at the time of contributing are not state residents may not be used to meet the threshold amounts in paragraph (a). For purposes of this paragraph, any person validly registered to vote in this state shall be considered a state resident.

(3) Limit loans or contributions from the candidate's personal funds to \$25,000 and contributions from national, state, and county executive committees of a political party to \$250,000 in the aggregate, which loans or contributions *do shall* not qualify for meeting the threshold amounts in subsection (2).

(4) Submit to a postelection audit of the campaign account by the division.

Section 28. Section 111.075, Florida Statutes, is amended to read:

111.075 Elected officials; prohibition concerning certain committees.—Elected officials are prohibited from being employed by, or acting as a consultant for compensation to, a political committee ~~or committee of continuous existence~~.

Section 29. Subsections (3) and (4) and paragraph (a) of subsection (5) of section 112.3148, Florida Statutes, are amended to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(3) A reporting individual or procurement employee is prohibited from soliciting any gift from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or the partner, firm, employer, or principal of such lobbyist, where such gift is for the personal benefit of the reporting individual or procurement employee, another reporting individual or procurement employee, or any member of the immediate family of a reporting individual or procurement employee.

(4) A reporting individual or procurement employee or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly, a gift from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100; however, such a gift may be accepted by such person on behalf of a governmental entity or a charitable organization. If the gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

(5)(a) A political committee ~~or a committee of continuous existence~~, as defined in s. 106.011; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

Section 30. Subsections (3) and (4) of section 112.3149, Florida Statutes, are amended to read:

112.3149 Solicitation and disclosure of honoraria.—

(3) A reporting individual or procurement employee is prohibited from knowingly accepting an honorarium from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or from the employer, principal, partner, or firm of such a lobbyist.

(4) A political committee ~~or committee of continuous existence~~, as defined in s. 106.011, a lobbyist who lobbies a reporting individual's or procurement employee's agency, or the employer, principal, partner, or firm of such a lobbyist is prohibited from giving an honorarium to a reporting individual or procurement employee.

Section 31. Subsection (4) of section 1004.28, Florida Statutes, is amended to read:

1004.28 Direct-support organizations; use of property; board of directors; activities; audit; facilities.—

(4) ACTIVITIES; RESTRICTION.—A university direct-support organization is prohibited from giving, either directly or indirectly, any gift

to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the university.

Section 32. Paragraph (d) of subsection (4) of section 1004.70, Florida Statutes, is amended to read:

1004.70 Florida College System institution direct-support organizations.—

(4) ACTIVITIES; RESTRICTIONS.—

(d) A Florida College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the Florida College System institution.

Section 33. Paragraph (c) of subsection (4) of section 1004.71, Florida Statutes, is amended to read:

1004.71 Statewide Florida College System institution direct-support organizations.—

(4) RESTRICTIONS.—

(c) A statewide Florida College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the State Board of Education.

Section 34. For the purpose of incorporating the amendment made by this act into section 106.08, Florida Statutes, in a reference thereto, subsection (2) of section 106.075, Florida Statutes, is reenacted to read:

106.075 Elected officials; report of loans made in year preceding election; limitation on contributions to pay loans.—

(2) Any person who makes a contribution to an individual to pay all or part of a loan incurred, in the 12 months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in s. 106.08(1).

Section 35. For the purpose of incorporating the amendments made by this act to section 106.08, Florida Statutes, in references thereto, section 106.19, Florida Statutes, is reenacted to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(1) Any candidate; campaign manager, campaign treasurer, or deputy treasurer of any candidate; committee chair, vice chair, campaign treasurer, deputy treasurer, or other officer of any political committee; agent or person acting on behalf of any candidate or political committee; or other person who knowingly and willfully:

(a) Accepts a contribution in excess of the limits prescribed by s. 106.08;

(b) Fails to report any contribution required to be reported by this chapter;

(c) Falsely reports or deliberately fails to include any information required by this chapter; or

(d) Makes or authorizes any expenditure in violation of s. 106.11(4) or any other expenditure prohibited by this chapter;

is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Any candidate, campaign treasurer, or deputy treasurer; any chair, vice chair, or other officer of any political committee; any agent or person acting on behalf of any candidate or political committee; or any other person who violates paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be subject to a civil penalty equal to three times the amount involved in the illegal act. Such penalty may be in addition to the penalties provided by subsection (1) and shall be paid into the General Revenue Fund of this state.

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a paid petition circulator which does not provide the name and address of the paid petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

(4) Except as otherwise expressly stated, the failure by a candidate to comply with the requirements of this chapter has no effect upon whether the candidate has qualified for the office the candidate is seeking.

Section 36. (1) For the 2013-2014 fiscal year, one full-time equivalent position, with associated salary rate of 33,000, is authorized, and \$42,900 in recurring funds from the Elections Commission Trust Fund within the Department of Legal Affairs is appropriated to the Florida Elections Commission to carry out the provisions of this act.

(2) For the 2013-2014 fiscal year, two full-time equivalent positions, with associated salary rate of 57,297, are authorized, and \$85,000 in recurring funds from the General Revenue Fund is appropriated to the Division of Elections of the Department of State to carry out the provisions of this act.

(3) This section shall take effect July 1, 2013.

Section 37. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect November 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "election" to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain individuals seeking a publicly elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a

reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates; removing limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to nonstatewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term "same office"; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to s. 106.08, F.S., in references thereto; providing appropriations; authorizing specified numbers of full-time equivalent positions with associated salary rates within the Florida Elections Commission and the Division of Elections; providing effective dates.

Senator Soto moved the following amendment to **Amendment 1** which failed:

Amendment 1A (137710) (with title amendment)—Delete lines 1396-1412 and insert:

(b) *A person or political committee may not make contributions to a state or county executive committee of a political party or to a political committee or electioneering communications organization affiliated with or organized by a candidate aggregating more than \$25,000 per calendar year.*

(c) ~~(b)1.~~ The contribution limits provided in this subsection do not apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by chapter 103 or to amounts contributed by a candidate to his or her own campaign.

~~2. Notwithstanding the limits provided in this subsection, an unemancipated child under the age of 18 years of age may not make a contribution in excess of \$100 to any candidate or to any political committee supporting one or more candidates.~~

(d) ~~(c)~~ The contribution limits of this subsection apply to each election. For purposes of this subsection, the primary election and general election are separate elections so long as the candidate is not an unopposed candidate as defined in s. 106.011 ~~106.011(15)~~. However, for the purpose of contribution limits with respect to candidates for retention as a justice or judge, there is only one election, which is the general election.

And the title is amended as follows:

Delete line 2408 and insert: to political committees; providing limitations on contributions made to a state or county executive committee

of a political party and certain political committees and electioneering communications organizations; removing a limitation on

The question recurred on **Amendment 1 (481688)** which was adopted.

On motions by Senator Latvala, by two-thirds vote **CS for CS for CS for HB 569** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Nays—2

Abruzzo Clemens

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for CS for CS for HB 569** was ordered immediately certified to the House.

On motion by Senator Abruzzo—

CS for SB 964—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that a parent's rights may be terminated if the court determines, by clear and convincing evidence, that the child was conceived during an act of unlawful sexual battery; creating a presumption that termination of parental rights is in the best interest of the child if the child was conceived as a result of an unlawful sexual battery; providing that a petition to terminate parental rights may be filed at any time; amending s. 39.811, F.S.; providing for termination of parental rights of only one parent if conception was the result of an unlawful sexual battery; providing for retroactive application; providing an effective date.

—was read the second time by title.

Senator Abruzzo moved the following amendment which was adopted:

Amendment 1 (406886) (with title amendment)—Delete line 33 and insert: *under this paragraph may be filed at any time. The court must accept a guilty plea or conviction of unlawful sexual battery pursuant to s. 794.011 as conclusive proof that the child was conceived by a violation of criminal law as set forth in this subsection.*

And the title is amended as follows:

Delete line 10 and insert: battery; requiring the court to accept a guilty plea or conviction as conclusive proof that the child was conceived by a violation of criminal law; providing that a petition to terminate

Pursuant to Rule 4.19, **CS for SB 964** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 972—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met, and must

provide the basis upon which landowners will be assessed a proportionate share of the cost of addressing certain transportation impacts; encouraging a local government that repeals transportation concurrency to adopt an alternative mobility funding system that is subject to certain requirements; amending s. 163.3182, F.S.; expanding the types of transportation projects that a transportation development authority may undertake or carry out; amending s. 190.006, F.S.; modifying the method for filling positions within the board of supervisors; providing an effective date.

—was read the second time by title.

Senator Hukill moved the following amendments which were adopted:

Amendment 1 (311388) (with title amendment)—Delete lines 159-242.

And the title is amended as follows:

Delete lines 13-18 and insert: requirements; providing an effective date.

Amendment 2 (672144)—Delete line 243 and insert:

Section 4. This act shall take effect upon becoming a law.

Pursuant to Rule 4.19, **CS for CS for SB 972** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

SB 1066—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1066** was placed on the calendar of Bills on Third Reading.

CS for SB 102—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 102**, on motion by Senator Detert, by two-thirds vote **CS for HB 95** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Detert—

CS for HB 95—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing for applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 102** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 95** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates and forms; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation’s approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

—was read the second time by title.

Senator Sobel moved the following amendment:

Amendment 1 (202090) (with title amendment)—Before line 28 insert:

Section 1. Paragraph (b) of subsection (6) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments*—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers’ compensation premiums or medical malpractice premiums. As used in this subsection, the term “property and casualty business” includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage ~~applies shall apply~~ to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph ~~continues shall continue~~ as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the payment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections

as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless ~~and until~~ the Office of Insurance Regulation and the Florida Surplus Lines Service Office have received a notice from the corporation and the fund a notice, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. ~~If When~~ an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. ~~If When~~ a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium ~~before~~ prior to remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2016 ~~2013~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2016 ~~2013~~.

And the title is amended as follows:

Delete line 3 and insert: rates and forms; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe

Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 627.062, F.S.; exempting

Senator Sobel moved the following substitute amendment which was adopted:

Amendment 2 (909100) (with title amendment)—Before line 28 insert:

Section 1. Paragraph (b) of subsection (6) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(6) REVENUE BONDS.—

(b) *Emergency assessments*—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage ~~applies~~ ~~shall apply~~ to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph ~~continues~~ ~~shall continue~~ as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the payment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and filing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of

assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless ~~and until~~ the Office of Insurance Regulation and the Florida Surplus Lines Service Office ~~have~~ received a notice from the corporation and the fund ~~a notice~~, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. ~~If When~~ an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. ~~If When~~ a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium ~~before~~ ~~prior to~~ remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2016 ~~2013~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2016 ~~2013~~.

And the title is amended as follows:

Delete line 3 and insert: rates, fees, and forms; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 627.062, F.S.; exempting

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (335264)—Delete lines 61-62 and insert: *chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.*

Senator Joyner moved the following amendment which failed:

Amendment 4 (725028) (with title amendment)—Delete lines 132-190 and insert: form and has been approved by the office. This provision does not apply to surety bonds or to policies, riders, endorsements, or forms of unique character ~~that which~~ are designed for and used with ~~relation to~~ insurance ~~on upon~~ a particular subject, (other than as to health insurance), or ~~that which~~ relate to the manner of ~~distributing~~ distribution of benefits or to the reservation of rights and benefits under

life or health insurance policies and are used at the request of the individual policyholder, contract holder, or certificateholder. ~~For As to~~ group insurance policies effectuated and delivered outside this state but covering persons resident in this state, the group certificates to be delivered or issued for delivery in this state shall be filed with the office for information purposes only.

And the title is amended as follows:

Delete lines 13-23.

Pursuant to Rule 4.19, **CS for CS for SB 468** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 768—A bill to be entitled An act relating to Everglades improvement and management; amending s. 373.4592, F.S.; revising legislative findings for achieving water quality goals; revising the definition of the term "Long-Term Plan"; revising provisions for use of certain ad valorem tax proceeds; directing the South Florida Water Management District to complete a specified analysis; revising provisions for collection of the agricultural privilege tax; providing for the use of such tax proceeds; providing that payment of the tax and certain costs fulfills certain constitutional obligations; providing appropriations; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 768**, on motion by Senator Simpson, by two-thirds vote **CS for HB 7065** was withdrawn from the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

On motion by Senator Simpson—

CS for HB 7065—A bill to be entitled An act relating to Everglades improvement and management; amending s. 373.4592, F.S.; revising legislative findings for achieving water quality goals; revising the definition of the term "Long-Term Plan"; revising provisions for use of certain ad valorem tax proceeds; directing the South Florida Water Management District to complete a specified analysis; revising provisions for collection of the agricultural privilege tax; providing for the use of such tax proceeds; providing that payment of the tax and certain costs fulfills certain constitutional obligations; providing appropriations; providing effective dates.

—a companion measure, was substituted for **CS for SB 768** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7065** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

SB 1830—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.047, F.S.; providing that the postmark date of commercial mail delivery service is considered the date of filing for certain ad valorem applications or returns; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of first-class mail; providing requirements; amending s. 193.122, F.S.; requiring a property appraiser to publish notices of date of tax roll certifications and extensions on the property appraiser's website; amending s. 193.155, F.S.; providing that a change of ownership for purposes of assessing property at just value does not apply to lessees entitled to the homestead; extending the time for appealing a value adjustment board's denial of a taxpayer's application to transfer prior homestead assessment limitations to a new homestead; amending s. 193.703, F.S.; authorizing a county to waive the annual application requirement for a reduction in the assessed value of homestead property used to provide living quarters for the parents or grandparents of the owner or spouse of the owner; requiring the property owner to notify the property appraiser if the reduction no longer applies; providing for tax, penalty, and interest assessments if the property owner improperly received reductions; providing for liens; amending s. 196.031, F.S.; deleting the express requirement that titleholders of homesteads live on the homestead in order to qualify for homestead tax exemption; amending s. 196.075, F.S., as amended by s. 1 of chapter 2012-57, Laws of Florida; clarifying that

local governments that provide additional homestead exemptions to persons 65 and older may provide exemptions up to a certain amount; amending s. 196.1978, F.S.; removing the ability of a general partner classified as a 501(c)(3) organization to qualify as a limited partnership for the affordable housing property tax exemption; providing for retroactive application; amending s. 196.198, F.S.; clarifying the ownership of property used for education purposes and exempt from ad valorem taxation; amending s. 4 of chapter 2012-45, Laws of Florida; providing that taxes imposed by school districts in certain areas are not included in determining the taxes that must be transmitted to St. Lucie County pursuant to the transfer of property from St. Lucie County to Martin County; providing an effective date.

—was read the second time by title.

Senator Hukill moved the following amendments which were adopted:

Amendment 1 (854862)—Delete lines 77-91 and insert:

(2) *Electronic transmission pursuant to this section is authorized only under the following conditions, as applicable:*

(a) *The recipient consents in writing to receive the document electronically.*

(b) *On the form used to obtain the recipient's written consent, the sender includes a statement in substantially the following form and in a font equal to or greater than the font used for the text requesting the recipient's consent:*

NOTICE: Under Florida law, e-mail addresses are public records. By consenting to communicate with this office electronically, your e-mail address will be released in response to any applicable public records request.

(c) *Before sending a document electronically, the sender verifies the recipient's address by sending an electronic transmission to the recipient and receiving an affirmative response from the recipient verifying that the recipient's address is correct.*

(d) *If a document is returned as undeliverable, the sender sends the document by regular mail, as required by law.*

(e) *Documents sent pursuant to this section comply with the same timing and form requirements as if the documents were sent by regular mail.*

(f) *The sender renews the consent and verification requirements every 5 years.*

Amendment 2 (262058) (with title amendment)—Between lines 313 and 314 insert:

Section 8. *Paragraph (b) of subsection (1) and paragraph (a) of subsection (3) of section 196.082, Florida Statutes, are repealed.*

And the title is amended as follows:

Delete line 35 and insert: exemptions up to a certain amount; repealing s. 196.082(1)(b) and (3)(a), F.S., relating to the requirement that a veteran applying for a discount on the ad valorem tax owed on homestead property be a state resident at the time of entering military service; amending s.

Amendment 3 (656556)—Delete line 366 and insert: educational institution is owned by the identical

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hukill moved the following amendment which was adopted:

Amendment 4 (578602) (with title amendment)—Between lines 207 and 208 insert:

Section 5. Subsection (1) of section 193.451, Florida Statutes, is amended to read:

193.451 Annual growing of agricultural crops, nonbearing fruit trees, nursery stock; taxability.—

(1) Growing annual agricultural crops, nonbearing fruit trees, ~~and~~ nursery stock, *and aquacultural crops*, regardless of the growing methods, shall be considered as having no ascertainable value and shall not be taxable until they have reached maturity or a stage of marketability and have passed from the hands of the producer ~~or~~ ~~and/or~~ offered for sale. This section shall be construed liberally in favor of the taxpayer.

Section 6. Subsection (5) of section 193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program.—

(5) For the purpose of this section, *the term* "agricultural purposes" includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, *if when* the land is used principally for the production of tropical fish; aquaculture, *including algaculture*; sod farming; and all forms of farm products as defined in s. 823.14(3) and farm production.

And the title is amended as follows:

Between lines 18 and 19 insert: 193.451, F.S.; providing that aquacultural crops are exempt from taxation until marketable; amending s. 193.461, F.S., relating to the classification of agricultural land for tax assessment to revise the definition of "agricultural purposes" to include algaculture; amending s.

Pursuant to Rule 4.19, **SB 1830** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 318—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school districts to issue the identification badge to a qualified contractor; providing that the identification badge shall be recognized by all school districts; providing that the identification badge is valid for 5 years; establishing conditions for return of an identification badge; requiring the department to determine a uniform cost a school district may charge a contractor for receipt of the identification badge, which shall be borne by the contractor; providing an exception for certain contractors; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 318**, on motion by Senator Grimsley, by two-thirds vote **HB 21** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Grimsley—

HB 21—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school district issuance and recognition of the identification badge; providing for validity period of the identification badge; providing for a uniform cost for receipt of the identification badge to be borne by the contractor; providing an exception for certain contractors; providing an effective date.

—a companion measure, was substituted for **SB 318** and read the second time by title.

Pursuant to Rule 4.19, **HB 21** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1302—A bill to be entitled An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a tem-

porary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1302** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for SB 1398—A bill to be entitled An act relating to real estate appraisers; amending s. 475.617, F.S.; revising terminology applicable to education requirements for registered trainee appraisers, certified residential appraisers, and certified general appraisers; authorizing qualifying education courses completed by applicants for registration as a trainee or certification as a residential appraiser or general appraiser to be completed through distance learning; revising the education and experience requirements for certified residential appraisers and certified general appraisers according to certain real property appraiser qualification criteria adopted by the Appraiser Qualifications Board of the Appraisal Foundation on a specified date; authorizing the use of a distance learning course; providing requirements for a distance learning course and a final examination; providing an effective date.

—was read the second time by title.

Senator Hukill moved the following amendment which was adopted:

Amendment 1 (174896)—Delete lines 103-105 and insert: *education must include a written, closed-book final examination. As used in*

Pursuant to Rule 4.19, **CS for SB 1398** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Smith, by unanimous consent—

CS for CS for CS for SB 1160—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting provisions relating to the development of performance criteria applicable to engineer-designed systems; revising requirements for maintenance entity service agreements for certain engineer-designed systems; authorizing certain property owners to be approved and permitted as maintenance entities for performance-based treatment systems under certain conditions; requiring owners of performance-based treatment unit systems to obtain certain permits; requiring onsite sewage treatment and disposal systems to comply with rules of the Department of Environmental Protection and provide a certain level of treatment; providing that certain onsite sewage treatment and disposal systems in Monroe County installed after a specified date are not required to connect to a sewer until a specified date; providing for non-applicability; deleting a provision that requires a maintenance entity to obtain a system operating permit; authorizing the department to approve and permit a property owner of an owner-occupied, single-family residence as a maintenance entity for the property owner's own aerobic treatment unit system under certain circumstances; requiring the maintenance entity service agreement to conspicuously disclose that the property owner has the right to maintain his or her own system and is exempt from certain contractor registration requirements; prohibiting a septic tank contractor from being denied access by the manufacturer to aerobic treatment unit system training or spare parts for maintenance entities; providing that component parts for an aerobic treatment unit system may be replaced with parts that meet manufacturer's specifications; requiring the maintenance entity to maintain documentation for a specified period of time and to provide the documentation to the department upon request; requiring owners of performance-based treatment unit systems to obtain certain permits; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1160**, on motion by Senator Smith, by two-thirds vote **CS for CS for CS for HB 375** was withdrawn from the Committees on Health Policy; Community Affairs; Environmental Preservation and Conservation; and Rules.

On motion by Senator Smith—

CS for CS for CS for HB 375—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting provisions relating to the development of performance criteria applicable to engineer-designed systems; revising requirements for maintenance entity service agreements for certain engineer-designed systems; authorizing certain property owners to be approved and permitted as maintenance entities for performance-based treatment systems under certain conditions; requiring owners of performance-based treatment unit systems to obtain certain permits; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; deleting a requirement for maintenance entities to obtain certain permits; authorizing electronic submission of certain reports; authorizing certain property owners to be approved and permitted as maintenance entities for aerobic treatment unit systems under certain conditions; providing requirements for such maintenance entity service agreements; prohibiting manufacturers from denying certain septic tank contractors access to aerobic treatment unit system training and spare parts; authorizing certain replacement parts for aerobic treatment unit systems; requiring maintenance entities to maintain documentation for such replacement parts; requiring owners of aerobic treatment unit systems to obtain certain permits; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1160** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 375** was placed on the calendar of Bills on Third Reading.

SM 1478—A memorial to the United States Secretary of Homeland Security, urging the United States Department of Homeland Security to create the Haitian Family Reunification Parole Program.

WHEREAS, on January 12, 2010, Haiti experienced a 7.0 magnitude earthquake, which killed 250,000 people and left more than 1 million homeless, injured, and with limited access to potable water and food, and

WHEREAS, Haitians residing in the United States, particularly in Florida, were devastated by the news and were concerned for the well-being of family members still residing in Haiti, and

WHEREAS, the President of the United States issued an executive order to grant temporary protected status to eligible citizens of Haiti, and, on May 17, 2011, the United States Secretary of Homeland Security announced the extension of the temporary protected status for eligible Haitians for another 18 months, and

WHEREAS, human rights advocates have called upon the United States Department of Homeland Security to use the Immigration and Nationality Act's humanitarian parole authority to allow Haitians who have approved visas to immigrate to the United States without waiting for extended periods of time, and

WHEREAS, the policy of the United States Citizenship and Immigration Services has been that family-based immigration petitioners residing in Haiti must remain in Haiti rather than in the United States while awaiting their visa priority dates to become current, and

WHEREAS, there are currently other family reunification parole programs that authorize applicants for immigration to join their families in this country, and the purpose of this memorial is to call for the establishment of a similar program in support of Haitian immigration applicants to join their families in this country due to the circumstances in Haiti, and

WHEREAS, the purpose of the Haitian Family Reunification Parole Program would be to hasten the reunification of families and discourage Haitian citizens from resorting to illegal and dangerous means of migration into the United States, and

WHEREAS, the Haitian Family Reunification Parole Program is supported by the City of Philadelphia, Pennsylvania, the United States

Conference of Mayors, the Committee on Foreign Affairs of the United States House of Representatives, and six United States Senators, NOW, THEREFORE,

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

That the United States Secretary of Homeland Security and the United States Department of Homeland Security are urged to create the Haitian Family Reunification Parole Program for the reasons and purposes provided in this memorial.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the United States Secretary of Homeland Security.

—was read the second time by title. On motion by Senator Thompson, **SM 1478** was adopted and certified to the House.

On motion by Senator Brandes—

CS for SB 1768—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public records requirements for personal identifying information of an applicant or recipient of paratransit services; making clarifying changes; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1768** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 1842—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and perform market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending s. 624.34, F.S.; conforming provisions to changes made by this act with respect to the registration of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s. 626.995, F.S.; providing the scope of part XII, ch. 626, F.S.; creating s. 626.9951, F.S.; providing definitions; creating s. 626.9952, F.S.; requiring the registration of navigators with the Department of Financial Services; providing the purpose for such registration; creating s. 626.9953, F.S.; providing qualifications for registration; providing for submission of a written application; specifying fees; requiring an applicant to submit fingerprints and pay a processing fee; creating s. 626.9954, F.S.; specifying criteria for disqualification from registration; authorizing the department to adopt rules establishing disqualifying time periods; creating s. 626.9955, F.S.; requiring the department to have a publicly available list of navigators and to report certain information to the exchange; creating s. 626.9956, F.S.; requiring a navigator to notify the department of a change of specified identifying information; creating s. 626.9957, F.S.; prohibiting specified conduct; providing grounds for denial, suspension, or revocation of registration; providing for administrative fines and other disciplinary actions; creating s. 626.9958, F.S.; authorizing the department to adopt rules; amending s. 627.402, F.S.; providing definitions for “grandfathered health plan,” “nongrandfathered health plan,” and “PPACA”; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; re-

quiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6675, F.S.; specifying conditions for nonrenewal of a conversion policy; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by the office; providing for future repeal of this provision; amending s. 641.3922, F.S.; specifying conditions for nonrenewal of a health maintenance organization conversion contract; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (343188)—Delete line 802 and insert: *the House of Representatives.*

(f) *Transfer any remaining funds of the association to the Chief Financial Officer for deposit in the General Revenue Fund. Upon receipt of an application for*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Soto moved the following amendment which failed:

Amendment 2 (527092)—Delete lines 650-705 and insert:

(a) *For each individual and small group nongrandfathered health plan, an insurer or health maintenance organization shall include a notice of the estimated impact of PPACA on monthly premiums with the delivery of the policy or contract or, upon renewal, the premium renewal notice, unless the insurer or health maintenance organization indicates that such impacts are indeterminate. The notice must be in a format established by rule of the commission. All notices shall be submitted to the office for informational purposes by September 1, 2013. The notice is required only for the first issuance or renewal of the policy or contract on or after January 1, 2014.*

(b) *The information provided in the notice must be prepared by an actuary and use only the information contained in the rate filing required*

under paragraph (6)(a) or as otherwise required under PPACA, and must be based on the statewide average premium for the policy or contract for the bronze, silver, gold, or platinum level plan, whichever is applicable to the policy or contract, and provide an estimate of the following effects of PPACA requirements:

1. The dollar amount of the premium which is solely attributable to the impact of guaranteed issuance of coverage. This estimate must include itemized subestimates of the impact of the requirement that rates be based on factors unrelated to health status, how the individual coverage mandate and subsidies provided in the health insurance exchange established in this state pursuant to PPACA affect the impact of guaranteed issuance of coverage, and estimated reinsurance credits.

2. The dollar amount of the premium which is solely attributable to fees, taxes, and assessments.

3. For individual policies or contracts, the dollar amount of the premium increase or decrease from the premium that would otherwise have been due which is attributable to the combined impact of the requirement that rates for age be limited to a 3-to-1 ratio and the prohibition against using gender as a rating factor. This estimate must be displayed for the average rates for male and female insureds, respectively, for the following three age categories: age 21 years to 29 years, age 30 years to 54 years, and age 55 years to 64 years.

4. The dollar amount that is solely attributable to the requirement that essential health benefits be provided and to meet the required actuarial value for the product, as compared to the statewide average premium for, and actuarial value of, the policy or contract for the plan issued by that insurer or organization that has the highest enrollment in the individual or small group market on July 1, 2013, whichever is applicable. The statewide average premiums and actuarial value of the plan that has the highest enrollment must include all policyholders, including those that have health conditions that increase the standard premium. The notice must also itemize the primary differences between the plans being compared with respect to covered benefits, including limitations and exclusions, and cost-sharing requirements.

5. For policyholder groups of various household sizes and income levels as specified in rule, the dollar amount of the portion of the statewide average premium that would be paid on behalf of a policyholder who qualifies for premium tax credits under PPACA and who purchases a comparable bronze, silver, gold, or platinum level plan.

6. For policyholder groups of various household sizes and income levels as specified in rule, the maximum dollar amount of out-of-pocket costs paid on behalf of a policyholder who qualifies for cost-sharing reductions under PPACA and who purchases a comparable bronze, silver, gold, or platinum level plan.

7. For each of the 3 most recent plan years for which information is available, the ratio of the weighted sum of the dollar amounts provided pursuant to subparagraphs 1.-4. to the weighted average of the annualized dollar amounts of all approved rate increases, taken across all of the insurer's or health maintenance organization's applicable policy forms in the applicable markets.

(c) The office, in consultation with the department, shall develop a summary of the estimated impact of PPACA on monthly premiums as contained in the notices submitted by insurers and health maintenance organizations, which must be available on the respective websites of the office and department by October 1, 2013.

(d) By January 1, 2015, each insurer or health maintenance organization providing the notice described in paragraph (a) for one or more nongrandfathered plans shall provide the office with a report, certified by an actuary, which compares the estimates previously provided for each plan under paragraph (b) with the actual amounts corresponding to such estimates.

(e) This subsection is repealed on March 1, 2015.

On motions by Senator Simmons, by two-thirds vote **CS for SB 1842** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—25

Mr. President	Diaz de la Portilla	Negron
Altman	Flores	Richter
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Hays	Sobel
Brandes	Hukill	Soto
Braynon	Latvala	Thrasher
Dean	Lee	
Detert	Legg	

Nays—6

Abruzzo	Evers	Smith
Clemens	Joyner	Thompson

Vote after roll call:

Yea—Galvano, Garcia, Grimsley, Stargel

Nay—Sachs

Yea to Nay—Sobel

Consideration of **SB 1852**, **CS for CS for SB 1392**, and **CS for CS for SB 904** was deferred.

On motion by Senator Altman—

SB 1784—A bill to be entitled An act relating to military installations; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to acquire certain nonconservation lands to buffer a military installation against encroachment; amending s. 288.980, F.S.; providing legislative findings; providing functions of the Military Base Protection Program; authorizing the Department of Economic Opportunity to annually recommend nonconservation lands for acquisition through fee simple purchase or less-than-fee interest purchase to the Board of Trustees of the Internal Improvement Trust Fund for the purpose of preventing the encroachment of military installations; requiring the board of trustees to also consider land acquisition recommendations of the Florida Defense Support Task Force; authorizing funds appropriated to the Military Base Protection Program to be used for land acquisition to prevent or reduce encroachment of military installations; providing an effective date.

—was read the second time by title.

Senator Altman moved the following amendment which was adopted:

Amendment 1 (824856) (with title amendment)—Delete line 93 and insert:

(c) As used in this subsection, the term “nonconservation lands” means lands not subject to acquisition by the Florida Forever Program.

(d) Funds appropriated to this program may be used to

And the title is amended as follows:

Delete line 20 and insert: encroachment of military installations; providing a definition for the term “nonconservation lands”; providing an

Pursuant to Rule 4.19, **SB 1784** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 658—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing an exception to the maximum allowable capacity for individual containers of wine sold in this state; providing that, except as provided in s. 564.09, F.S., all wine containers sold or offered for sale at retail for consumption off the premises shall be in the original container; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 658**, on motion by Senator Simpson, by two-thirds vote **CS for HB 623** was withdrawn from the Committees on Regulated Industries; Commerce and Tourism; and Rules.

On motion by Senator Simpson—

CS for HB 623—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing an exception to the maximum allowable capacity for an individual container of wine sold in this state; providing that certain wine sold or offered for sale by specified vendors shall be in the unopened original container; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 658** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 623** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 528—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; clarifying the prohibition on an initiative or referendum process in regard to development orders; clarifying the prohibition on an initiative or referendum process in regard to comprehensive plan amendments and map amendments; clarifying that the exception to the prohibition on an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is limited to a local government charter provision in effect on June 1, 2011, that specifically authorized an initiative or referendum process for local comprehensive plan or map amendments that affect more than five parcels of land; providing legislative intent; providing for retroactive application; providing for the retroactive repeal of s. 4 of chapter 2012-75, Laws of Florida, relating to a presumption regarding agricultural enclaves; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 528**, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 537** was withdrawn from the Committees on Community Affairs; Judiciary; Commerce and Tourism; and Rules.

On motion by Senator Simpson—

CS for CS for HB 537—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 528** and read the second time by title.

Senator Simpson moved the following amendment which was adopted:

Amendment 1 (544058) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (8) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(8)(a) ~~An initiative or referendum process in regard to any development order or in regard to any local comprehensive plan amendment or map amendment is prohibited. However, any local government charter provision that was in effect as of June 1, 2011, for an initiative or referendum process in regard to development orders or in regard to local comprehensive plan amendments or map amendments may be retained and implemented.~~

(b) *An initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited. However,*

an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment that affects more than five parcels of land is allowed if it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011; a general local government charter provision for an initiative or referendum process is not sufficient.

(c) *It is the intent of the Legislature that initiative and referendum be prohibited in regard to any development order. It is the intent of the Legislature that initiative and referendum be prohibited in regard to any local comprehensive plan or map amendment, except as specifically and narrowly permitted in paragraph (b) with regard to local comprehensive plan or map amendments that affect more than five parcels of land. Therefore, the prohibition on initiative and referendum stated in paragraphs (a) and (b) is remedial in nature and applies retroactively to any initiative or referendum process commenced after June 1, 2011, and any such initiative or referendum process that has been commenced or completed thereafter is hereby deemed null and void and of no legal force and effect.*

Section 2. *Section 4 of chapter 2012-75, Laws of Florida, is repealed, retroactive to June 30, 2012.*

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; clarifying the prohibition on an initiative or referendum process in regard to development orders; clarifying the prohibition on an initiative or referendum process in regard to comprehensive plan amendments and map amendments; clarifying that the exception to the prohibition on an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is limited to a local government charter provision in effect on June 1, 2011, that specifically authorized an initiative or referendum process for local comprehensive plan or map amendments that affect more than five parcels of land; providing legislative intent; providing for retroactive application; providing for the retroactive repeal of s. 4 of chapter 2012-75, Laws of Florida, relating to a presumption regarding agricultural enclaves; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 537** as amended was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1494—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; defining the term “department”; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department’s power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing applicability; prohibiting a person knowing or having reason to believe that a subpoena is pending from tampering with evidence; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative pro-

ceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1494**, on motion by Senator Thrasher, by two-thirds vote **CS for CS for HB 935** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Thrasher—

CS for CS for HB 935—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; providing for contingent effect; providing a definition; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department's power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing for construction; prohibiting specified actions by a person knowing or having reason to believe that a subpoena is pending; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising terminology; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1494** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 935** was placed on the calendar of Bills on Third Reading.

CS for SB 1496—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for a complaint and other information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying duration of the exemption; specifying conditions under which an investigation is considered completed; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1496**, on motion by Senator Thrasher, by two-thirds vote **HB 1297** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

On motion by Senator Thrasher—

HB 1297—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for the complaint and information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying duration of the exemption; specifying conditions under which an investigation is considered complete; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1496** and read the second time by title.

Pursuant to Rule 4.19, **HB 1297** was placed on the calendar of Bills on Third Reading.

CS for SB 962—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 962**, on motion by Senator Gardiner, by two-thirds vote **CS for HB 953** was withdrawn from the Committees on Judiciary; and Criminal Justice.

On motion by Senator Gardiner—

CS for HB 953—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; providing an effective date.

—a companion measure, was substituted for **CS for SB 962** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 953** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

CS for CS for SB 1442—A bill to be entitled An act relating to alarm systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price and providing exceptions; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of a Low-Voltage Alarm System Project; authorizing a local enforcement agency to inspect; prohibiting municipalities, counties, districts, or other entities of local government from adopting or maintaining an ordinance or rule inconsistent with this section; providing that a label is not required for the subsequent maintenance, inspection, or service of a permitted alarm system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1442** was placed on the calendar of Bills on Third Reading.

SB 706—A bill to be entitled An act relating to uninsured motorist insurance coverage; amending s. 627.727, F.S.; providing that, under certain circumstances, specified persons who elect non-stacking limitations on their uninsured motorist insurance coverage are conclusively presumed to have made an informed, knowing acceptance of the limitations on behalf of all insureds; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 706**, on motion by Senator Montford, by two-thirds vote **CS for HB 341** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Rules.

On motion by Senator Montford—

CS for HB 341—A bill to be entitled An act relating to uninsured motorist insurance coverage; amending s. 627.727, F.S.; providing that, under certain circumstances, specified persons who elect non-stacking limitations on their uninsured motorist insurance coverage are conclusively presumed to have made an informed, knowing acceptance of the limitations on behalf of all insureds; providing an effective date.

—a companion measure, was substituted for **SB 706** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 341** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

SB 736—A bill to be entitled An act relating to limitations relating to deeds and wills; amending s. 95.231, F.S.; providing for limitations of actions when a deed or will is on record; providing that a person claiming an interest in real property affected by amendments made in the act has until a specified date to file a claim or defense in court to determine the validity of the instrument; providing that if a claim or defense is filed within the specified period, the validity of the instrument is determined without regard to these amendments; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 736** was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for SB 874—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions; prohibiting a person from allowing a party to take place if a minor is in possession of or consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 874** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for CS for CS for SB 390—A bill to be entitled An act relating to veterans' organizations; defining terms; prohibiting a business entity from advertising or holding itself out to the public as a veterans' organization or similar entity under certain circumstances; providing that an entity that violates the restrictions on advertising violates the Florida Deceptive and Unfair Trade Practices Act; authorizing certain veterans' organizations to enforce the prohibition against false advertising; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 390** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 580** was deferred.

On motion by Senator Simmons—

CS for CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled "General Provisions"; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another

person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term "consultant"; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company's investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the "Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act" to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire

Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm out-buildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and

amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire

departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transfer-

ring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applic-

ability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (644332)—Delete lines 740-777 and insert:

(10)(9) A “Fire hydrant” means is a connection to a water main, elevated water tank, or other source of water for the purpose of supplying water to a fire hose or other fire protection apparatus for fire suppression operations. *The term does not include a fire protection system.*

(11)(10) A “Fire protection system” means is a system individually designed to protect the interior or exterior of a specific building or buildings, structure, or other special hazard from fire. Such systems include, but are not limited to, water sprinkler systems, water spray systems, foam-water sprinkler systems, foam-water spray systems, carbon dioxide CO₂ systems, foam extinguishing systems, dry chemical systems, and Halon and other chemical systems used for fire protection use. Such systems also include any overhead and underground fire mains, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, thermal systems used in connection with fire sprinkler systems, and tanks and pumps connected to fire sprinkler systems.

(12)(11) A “Firesafety inspector” means is an individual who holds a current and valid Fire Safety Inspector Certificate of Compliance issued certified by the division State Fire Marshal under s. 633.216 s. 633.081 who is officially assigned the duties of conducting firesafety inspections of buildings and facilities on a recurring or regular basis on behalf of the state or any county, municipality, or special district with fire safety responsibilities.

(13) “Fire service provider” means a municipality or county, the state, or any political subdivision of the state, including authorities and special districts, employing firefighters or utilizing volunteer firefighters to provide fire extinguishment or fire prevention services for the protection of life and property. *The term includes any organization under contract or other agreement with such entity to provide such services.*

(14) “Fire service support personnel” means an individual who does not hold a current and valid certificate issued by the division and who may only perform support services.

Senator Simmons moved the following amendment:

Amendment 2 (458420)—Delete lines 2186-2347 and insert:

Section 27. Section 633.081, Florida Statutes, is transferred, renumbered as section 633.216, Florida Statutes, and amended to read:

633.216 ~~633.081~~ Inspection of buildings and equipment; orders; firesafety inspection training requirements; certification; disciplinary action.—The State Fire Marshal and her or his agents or persons authorized to enforce laws and rules of the State Fire Marshal shall, at any reasonable hour, when the State Fire Marshal has reasonable cause to believe that a violation of this chapter or s. 509.215, or a rule adopted promulgated thereunder, or a minimum firesafety code adopted by the State Fire Marshal or a local authority, may exist, inspect any and all buildings and structures which are subject to the requirements of this chapter or s. 509.215 and rules adopted promulgated thereunder. The authority to inspect shall extend to all equipment, vehicles, and chemicals which are located on or within the premises of any such building or structure.

(1) Each county, municipality, and special district that has firesafety enforcement responsibilities shall employ or contract with a firesafety inspector. Except as provided in s. 633.312(2) and (3) ~~633.082(2)~~, the

firesafety inspector must conduct all firesafety inspections that are required by law. The governing body of a county, municipality, or special district that has firesafety enforcement responsibilities may provide a schedule of fees to pay only the costs of inspections conducted pursuant to this subsection and related administrative expenses. Two or more counties, municipalities, or special districts that have firesafety enforcement responsibilities may jointly employ or contract with a firesafety inspector.

(2) Except as provided in s. 633.312(2) ~~633.082(2)~~, every firesafety inspection conducted pursuant to state or local firesafety requirements shall be by a person certified as having met the inspection training requirements set by the State Fire Marshal. Such person shall meet the requirements of s. 633.412(1)(a)-(d), and:

(a) ~~Be a high school graduate or the equivalent as determined by the department;~~

(b) ~~Not have been found guilty of, or having pleaded guilty or nolo contendere to, a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States, or of any state thereof, which involves moral turpitude, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of such cases;~~

(c) ~~Have her or his fingerprints on file with the department or with an agency designated by the department;~~

(d) ~~Have good moral character as determined by the department;~~

(e) ~~Be at least 18 years of age;~~

(f) ~~Have satisfactorily completed the firesafety inspector certification examination as prescribed by division rule the department; and~~

(b)(g)1. Have satisfactorily completed, as determined by division rule ~~the department~~, a firesafety inspector training program of at least ~~not less than~~ 200 hours established by the department and administered by education or training providers ~~agencies and institutions~~ approved by the department for the purpose of providing basic certification training for firesafety inspectors; or

2. Have received ~~in another state~~ training in ~~another state~~ which is determined by the ~~division department~~ to be at least equivalent to that required by the department for approved firesafety inspector education and training programs in this state.

(3)(a)1. Effective July 1, 2013, the classification of special state firesafety inspector is abolished, and all special state firesafety inspector certifications ~~shall~~ expire at midnight June 30, 2013.

2. Any person who is a special state firesafety inspector on June 30, 2013, and who has failed to comply with paragraph (b) or paragraph (c) may not perform any firesafety inspection required by law.

3. A special state firesafety inspector certificate may not be issued after June 30, 2011.

(b)1. Any person who is a special state firesafety inspector on July 1, 2011, and who has at least 5 years of experience as a special state firesafety inspector as of July 1, 2011, may take the firesafety inspection examination as provided in paragraph (2)(f) for firesafety inspectors before July 1, 2013, to be certified as a firesafety inspector under this section.

2. Upon passing the examination, the person shall be certified as a firesafety inspector as provided in this section.

3. A person who fails to become certified must comply with paragraph (c) to be certified as a firesafety inspector under this section.

(c)1. To be certified as a firesafety inspector under this section, a ~~any~~ person who:

a. Is a special state firesafety inspector on July 1, 2011, and who does not have 5 years of experience as a special state firesafety inspector as of July 1, 2011; or

b. Has 5 years of experience as a special state firesafety inspector but has failed the examination taken as provided in paragraph (2)(a) ~~(2)(f)~~, must take an additional 80 hours of the courses described in paragraph (2)(b) ~~(2)(g)~~.

2. After successfully completing the courses described in this paragraph, such person may take the firesafety inspection examination as provided in paragraph (2)(a) ~~(2)(f)~~, if such examination is taken before July 1, 2013.

3. Upon passing the examination, the person shall be certified as a firesafety inspector as provided in this section.

4. A person who fails the course of study or the examination described in this paragraph may not perform any firesafety inspection required by law on or after July 1, 2013.

(4) A firefighter certified pursuant to s. 633.408 ~~633.35~~ may conduct firesafety inspections, under the supervision of a certified firesafety inspector, while on duty as a member of a fire department company conducting inservice firesafety inspections without being certified as a firesafety inspector, if such firefighter has satisfactorily completed an inservice fire department company inspector training program of at least 24 hours' duration as provided by rule of the department.

(5) Every firesafety inspector certificate is valid for a period of 4 ~~3~~ years from the date of issuance. Renewal of certification is subject to the affected person's completing proper application for renewal and meeting all of the requirements for renewal as established under this chapter or by rule adopted under this chapter, which ~~must shall~~ include completion of at least ~~54 40~~ hours during the preceding ~~4-year 3-year~~ period of continuing education as required by the rule of the department or, in lieu thereof, successful passage of an examination as established by the department.

(6) A previously certified firesafety inspector whose certification has lapsed for 8 years or more must repeat the fire safety inspector training as specified by the division.

(7)(6) The State Fire Marshal may deny, refuse to renew, suspend, or revoke the certificate of a firesafety inspector if the State Fire Marshal finds that any of the following grounds exist:

(a) Any cause for which issuance of a certificate could have been refused had it then existed and been known to the ~~division State Fire Marshal~~.

(b) Violation of this chapter or any rule or order of the State Fire Marshal.

(c) Falsification of records relating to the certificate.

(d) ~~Having been found guilty of or having pleaded guilty or nolo contendere to a felony, whether or not a judgment of conviction has been entered.~~

(d)(e) Failure to meet any of the renewal requirements.

(f) ~~Having been convicted of a crime in any jurisdiction which directly relates to the practice of fire code inspection, plan review, or administration.~~

(e)(g) Making or filing a report or record that the certificateholder knows to be false, or knowingly inducing another to file a false report or record, or knowingly failing to file a report or record required by state or local law, or knowingly impeding or obstructing such filing, or knowingly inducing another person to impede or obstruct such filing.

(f)(h) Failing to properly enforce applicable fire codes or permit requirements within this state which the certificateholder knows are applicable by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.

(g)(i) Accepting labor, services, or materials at no charge or at a noncompetitive rate from a ~~any~~ person who performs work that is under the enforcement authority of the certificateholder and who is not an immediate family member of the certificateholder. For the purpose of

this paragraph, the term "immediate family member" means a spouse, child, parent, sibling, grandparent, aunt, uncle, or first cousin of the person or the person's spouse or ~~a~~ any person who resides in the primary residence of the certificateholder.

(8)(7) ~~The division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board, established pursuant to s. 468.605, shall enter into a reciprocity agreement to facilitate joint recognition of continuing education recertification hours for certificateholders licensed under s. 468.609 and firesafety inspectors certified under subsection (2).~~

(9)(8) The State Fire Marshal shall develop by rule an advanced training and certification program for firesafety inspectors having fire code management responsibilities. The program must be consistent with the appropriate provisions of NFPA 1037, or similar standards adopted by the division, and establish minimum training, education, and experience levels for firesafety inspectors having fire code management responsibilities.

(10)(9) The department shall provide by rule for the certification of firesafety inspectors and Fire Code Administrators.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (696538)—Delete line 82 and insert: in paragraph (2)(a) ~~(2)(f)~~ for firesafety inspectors before July 1,

Amendment 2 as amended was adopted.

Senator Simmons moved the following amendments which were adopted:

Amendment 3 (279956)—Delete lines 3587-3726 and insert:

(4)(2) The division shall issue a firefighter certificate of compliance to an ~~any~~ individual who does all of the following:

(a) ~~person~~ Satisfactorily completes ~~complying with the Minimum Standards Course or who has satisfactorily completed training for firefighters in another state which has been determined by the division to be at least the equivalent of the training required for the Minimum Standards Course.~~

(b) ~~Passes the Minimum Standards Course examination. training program established in subsection (1), who has successfully passed an examination as prescribed by the division, and~~

(c) ~~who~~ Possesses the qualifications ~~for employment in s. 633.412 633.34, except s. 633.34(5).~~

(5) ~~The division shall issue a Volunteer Firefighter Certificate of Completion to any individual who satisfactorily completes the course established under paragraph (1)(b) No person may be employed as a regular or permanent firefighter by an employing agency, or by a private entity under contract with the state or any political subdivision of the state, including authorities and special districts, for a period of time in excess of 1 year from the date of initial employment until he or she has obtained such certificate of compliance. A person who does not hold a certificate of compliance and is employed under this section may not directly engage in hazardous operations, such as interior structural firefighting and hazardous materials incident mitigation, requiring the knowledge and skills taught in a training program established in subsection (1). However, a person who has served as a volunteer firefighter with the state or any political subdivision of the state, including authorities and special districts, who is then employed as a regular or permanent firefighter may function, during this period, in the same capacity in which he or she acted as a volunteer firefighter, provided that he or she has completed all training required by the volunteer organization.~~

(3) ~~The division may issue a certificate to any person who has received basic employment training for firefighters in another state when the division has determined that such training was at least equivalent to that required by the division for approved firefighter education and~~

~~training programs in this state and when such person has satisfactorily complied with all other requirements of this section.~~

(6)(a) The division may ~~also~~ issue a Special Certificate of Compliance to an individual ~~a person~~ who does all of the following:

1. Satisfactorily completes the course established in paragraph (1)(b) to obtain a Special Certificate of Compliance.

2. Passes the examination established in paragraph (1)(b) to obtain a Special Certificate of Compliance.

3. Possesses the qualifications in s. 633.412 ~~is otherwise qualified under this section and who is employed as the administrative and command head of a fire/rescue/emergency services organization, based on the acknowledgment that such person is less likely to need physical dexterity and more likely to need advanced knowledge of firefighting and supervisory skills.~~

(b) ~~A Special~~ The Certificate of Compliance is valid only authorizes an individual to serve ~~while the person is serving in a position as an administrative and command head of a fire service provider fire/rescue/emergency services organization.~~

(7)(4) An individual ~~A person~~ who fails an examination given under this section may retake the examination once within 6 months after the original examination date. ~~If the individual An applicant who does not retake the examination or fails the reexamination within such time, the individual must take the Minimum Standards Course for a Firefighter Certificate of Compliance or the course established under paragraph (1)(b) for a Special Certificate of Compliance, pursuant to subsection (1), before being reexamined. The division may grant an extension of the 6-month period based upon documented medical necessity and may establish reasonable preregistration deadlines for such reexaminations.~~

(8)(5) Pursuant to s. 590.02(1)(e), the division shall establish a structural fire training program of not less than 206 ~~40~~ hours. The division shall issue to a ~~any~~ person satisfactorily complying with this training program and who has successfully passed an examination as prescribed by the division and who has met the requirements of s. 590.02(1)(e), a Forestry Certificate of Compliance ~~Certificate of Forestry Firefighter.~~

(6) An individual who holds a current and valid Forestry Certificate of Compliance ~~A certified forestry firefighter~~ is entitled to the same rights, privileges, and benefits provided for by law as a ~~certified~~ firefighter.

Section 60. Section 633.34, Florida Statutes, is transferred, renumbered as section 633.412, Florida Statutes, and amended to read:

633.412 ~~633.34~~ Firefighters; qualifications for certification ~~employ-~~ment.—

(1) A ~~Any~~ person applying for certification ~~employment~~ as a firefighter must:

(a)(1) Be a high school graduate or the equivalent, as the term may be determined by the division, and at least 18 years of age.

(b)(2) ~~Not~~ Neither have been convicted of a misdemeanor relating to the certification or to perjury or false statements, or a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States or of any state thereof or under the law of any other country, or dishonorably discharged from any of the Armed Forces of the United States. "Convicted" means a finding of guilt or the acceptance of a plea of guilty or nolo contendere, in any federal or state court or a court in any other country, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of the case ~~felony or of a misdemeanor directly related to the position of employment sought, nor have pled nolo contendere to any charge of a felony. If an applicant has been convicted of a felony, such applicant must be in compliance with s. 112.011(2)(b). If an applicant has been convicted of a misdemeanor directly related to the position of employment sought, such applicant shall be excluded from employment for a period of 4 years after expiration of sentence. If the sentence is suspended or adjudication is withheld in a felony charge or in a misdemeanor directly related to the position or employment sought and a period of probation is imposed, the applicant must have been released from probation.~~

(c)(3) Submit *fingerprints* ~~a fingerprint card~~ to the division with a current processing fee. The *fingerprints* ~~fingerprint card~~ will be forwarded to the Department of Law Enforcement for state processing and forwarded by the Department of Law Enforcement to ~~and~~ the Federal Bureau of Investigation for national processing.

(d)(4) Have a good moral character as determined by investigation under procedure established by the division.

(e)(5) Be in good physical condition as determined by a medical examination given by a physician, surgeon, or physician assistant licensed to practice in the state pursuant to chapter 458; an osteopathic physician, surgeon, or physician assistant licensed to practice in the state pursuant to chapter 459; or an advanced registered nurse practitioner licensed to practice in the state pursuant to chapter 464. Such examination may include, but need not be limited to, ~~provisions of the National Fire Protection Association Standard 1582.~~ A medical examination evidencing good physical condition shall be submitted to the division, on a form as provided by rule, before an individual is eligible for admission into a *course under firefighter training program as defined in s. 633.408* ~~633.35~~.

(f)(6) Be a nonuser of tobacco or tobacco products for at least 1 year immediately preceding application, as evidenced by the sworn affidavit of the applicant.

(2) *If the division suspends or revokes an individual's certificate, the division must suspend or revoke all other certificates issued to the individual by the division pursuant to this part.*

Amendment 4 (929232) (with title amendment)—Delete line 4827.

And the title is amended as follows:

Delete lines 570-573 and insert: 633.514, F.S., relating to

Pursuant to Rule 4.19, **CS for CS for SB 1410** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

SB 1424—A bill to be entitled An act relating to public records; amending s. 338.155, F.S.; clarifying provisions; providing that personal identifying information about individuals related to the payment of tolls, which is held by the Department of Transportation and certain other entities, is exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing legislative findings and a statement of public necessity; providing an effective date.

—was read the second time by title.

Senator Evers moved the following amendment which was adopted:

Amendment 1 (361528)—Delete lines 19 and 20 and insert:

(6)(a) Personal identifying information *held by* ~~provided to,~~

Pursuant to Rule 4.19, **SB 1424** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1472** and **CS for SB 1014** was deferred.

SM 1600—A memorial to the Congress of the United States, urging Congress to repeal the health insurance tax contained in sections 9010 and 10905 of the Patient Protection and Affordable Care Act and section 1406 of the Health Care and Education Reconciliation Act.

WHEREAS, sections 9010 and 10905 of the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) and section 1406 of the Health Care and Education Reconciliation Act (Pub. L. No. 111-152) impose an unprecedented new tax on health insurance which numerous policy experts agree will be passed on to individuals, working families, small

employers, and seniors, contradicting a primary goal of health reform by making health care more expensive, and

WHEREAS, the health insurance tax could cause health care premiums for working families in Florida to rise by as much as \$4,881 to \$7,767 on average over a ten-year period, and

WHEREAS, the health insurance tax will impact small employers nationwide over the next decade, reducing future private-sector jobs by 125,000, with 59 percent of those jobs being eliminated from small businesses, and reducing potential sales by at least \$18 billion, with 50 percent of that loss being borne by small businesses, and

WHEREAS, Florida is estimated to be in the top five states with the highest average aggregate impact on Medicare Advantage beneficiaries between 2014 and 2023, with the ten-year impact per person estimated at \$4,181, and

WHEREAS, according to the recommended budget released by Governor Rick Scott, the cost of the health insurance tax on Medicaid is estimated at \$31.6 million, \$13.1 million of which will come from state funds due to an annual tax that will be placed on health insurance providers under the new law, based on preliminary estimates for the 2013-2014 year for Medicaid premiums, and

WHEREAS, higher premiums are a disincentive for everyone to obtain insurance coverage, particularly younger, healthier people, who are likely to drop their policies due to increased expense, further eroding the risk pool and making coverage even less affordable, NOW, THEREFORE,

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

That the Congress of the United States is urged to enact legislation to repeal the health insurance tax contained in sections 9010 and 10905 of the Patient Protection and Affordable Care Act and section 1406 of the Health Care and Education Reconciliation Act to make health care more affordable for working families, individuals, and businesses.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Senator Bean, **SM 1600** was adopted and certified to the House.

On motion by Senator Flores—

CS for CS for CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception, providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1734** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

SB 1848—A bill to be entitled An act relating to public records; providing a public records exemption for the identity of individuals who make certain allegations or provide certain information to the inspector general of Citizens Property Insurance Corporation and for information relating to a resulting investigation; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1848** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

SB 1850—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (565296) (with directory and title amendments)—Delete lines 20-51 and insert:

(10) *Proprietary business information provided to the corporation's clearinghouse by insurers with respect to identifying and selecting risks for an offer of coverage is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

(a) *As used in this subsection, the term "proprietary business information" means information, regardless of form or characteristics, which is owned or controlled by an insurer and:*

1. *Is identified by the insurer as proprietary business information and is intended to be and is treated by the insurer as private in that the disclosure of the information would cause harm to the insurer, an individual, or the company's business operations and has not been disclosed unless disclosed pursuant to a statutory requirement, an order of a court or administrative body, or a private agreement that provides that the information will not be released to the public;*

2. *Is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided to the clearinghouse; and*

3. *Includes, but is not limited to:*

a. *Trade secrets.*

b. *Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.*

Proprietary business information may be found in underwriting criteria or instructions which are used to identify and select risks through the program for an offer of coverage and are shared with the clearinghouse to facilitate the shopping of risks with the insurer.

(b) *The clearinghouse may disclose confidential and exempt proprietary business information:*

1. *If the insurer to which it pertains gives prior written consent;*

2. *Pursuant to a court order; or*

3. *To another state agency in this or another state or to a federal agency if the recipient agrees in writing to maintain the confidential and exempt status of the document, material, or other information and has verified in writing its legal authority to maintain such confidentiality.*

(c) *This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that it is a public necessity that all proprietary business information provided by an insurer to Citizens Property Insurance Corporation's clearinghouse which is used to identify and select risks from the clearinghouse be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State*

Constitution. The diversion program will facilitate obtaining offers of coverage from authorized insurers for new applicants for insurance coverage with the corporation and for policyholders seeking to renew existing insurance coverage with the corporation. Obtaining offers of coverage from authorized insurers through the clearinghouse will provide more choices for consumers and reduce the corporation's exposure and potential for imposing assessments on its policyholders and policyholders in the private market. In order for the program to efficiently determine whether there are authorized insurers interested in making an offer of coverage for a particular risk, a substantial amount of detailed data from participating insurers must be provided to the program. Public disclosure of the detailed data could result in a substantial chilling effect on insurer participation in the program and thereby undermine the program's success. Therefore, the Legislature declares that it is a public necessity that all proprietary business information provided by an insurer to Citizens Property Insurance Corporation's clearinghouse which is used to identify and select risks from the clearinghouse be made confidential and exempt from public record requirements.

And the directory clause is amended as follows:

Delete line 15 and insert:

Section 1. Subsection (10) is added to section 627.3518,

And the title is amended as follows:

Delete lines 4-9 and insert: records requirements for all proprietary business information submitted by an insurer to the Citizens Property Insurance Corporation's clearinghouse; providing a definition; providing exemption; providing for future

Pursuant to Rule 4.19, **SB 1850** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1014—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the initial screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based drug court program; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1014** was placed on the calendar of Bills on Third Reading.

CS for SB 418—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 418**, on motion by Senator Detert, by two-thirds vote **CS for HB 223** was withdrawn from the Committees on Banking and Insurance; and Commerce and Tourism.

On motion by Senator Detert—

CS for HB 223—A bill to be entitled An act relating to insurance; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer's Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

—a companion measure, was substituted for **CS for SB 418** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 223** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for CS for SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding prohibited clauses in association documents; providing prohibited clauses in association documents; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner's liability for certain assessments; providing an effective date.

—was read the second time by title.

Senator Hays moved the following amendment which was adopted:

Amendment 1 (825454)—Delete lines 273 and 274 and insert:

(f) *The division shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this subsection.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gibson moved the following amendment which was adopted:

Amendment 2 (660056) (with title amendment)—Delete lines 362-379 and insert:

Section 4. Paragraph (b) of subsection (1) and paragraph (a) of subsection (9) of section 720.306, Florida Statutes, are amended to read:

720.306 Meetings of members; voting and election procedures; amendments.—

(1) QUORUM; AMENDMENTS.—

(b) Unless otherwise provided in the governing documents or required by law, and other than those matters set forth in paragraph (c), any governing document of an association may be amended by the affirmative vote of two-thirds of the voting interests of the association. *Within 30 days after recording an amendment to the governing documents, the association shall provide copies of the amendment to the members.*

(9)(a) ELECTIONS AND BOARD VACANCIES.—Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association. All members of the association are eligible to serve on the board of directors, and a member may nominate himself or herself as a candidate for the board at a meeting where the election is to be held; *provided, however, that ~~or~~ if the election process allows candidates to be nominated in advance of the meeting, the association is not required to allow nominations at the meeting. An election is not required unless more candidates are nominated than vacancies exist voting by absentee ballot, in advance of the balloting.* Except as otherwise provided in the governing documents, boards of directors must be elected by a plurality of the votes cast by eligible voters.

And the title is amended as follows:

Delete line 53 and insert: amending s. 720.306, F.S.; requiring that a copy of an amendment to the governing documents be provided to the members within 30 days after it is recorded; revising procedures for the

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Hays moved the following amendments which were adopted:

Amendment 3 (269104) (with title amendment)—Delete line 361 and insert: *association shall bear the cost of any insurance or bond. If annually approved by a majority of the voting interests present at a properly called meeting of the association, an association may waive the requirement of obtaining an insurance policy or fidelity bond for all persons who control or disburse funds of the association.*

And the title is amended as follows:

Between lines 52 and 53 insert: authorizing an association to waive the requirement of obtaining an insurance policy or fidelity bond under certain conditions;

Amendment 4 (788988)—Delete lines 430-448 and insert:

(5) *It is declared that the public policy of this state is that prior to the transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, the right of developers to amend governing documents is subject to a test of reasonableness, which prohibits the developer from unilaterally amending the governing documents in a manner that is arbitrary, capricious, or in bad faith, that destroys the general plan of development, that prejudices the rights of existing nondeveloper members to use and enjoy the benefits of common property, or that materially shifts economic burdens from the developer to the existing nondeveloper members.*

Pursuant to Rule 4.19, **CS for CS for CS for SB 580** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 1128—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms "health care coverage" or "health flex plan coverage" to include certain specified benefits; deleting the section's expiration date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1128**, on motion by Senator Bean, by two-thirds vote **HB 1157** was withdrawn from the Committees on Banking and Insurance; and Community Affairs.

On motion by Senator Bean—

HB 1157—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms “health care coverage” or “health flex plan coverage” to include certain specified benefits; deleting the section’s expiration date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1128** and read the second time by title.

Pursuant to Rule 4.19, **HB 1157** was placed on the calendar of Bills on Third Reading.

On motion by Senator Soto—

CS for CS for SB 1210—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—was read the second time by title.

Senator Soto moved the following amendment which was adopted:

Amendment 1 (405224) (with title amendment)—Between lines 123 and 124 insert:

Section 2. *If another bill passes in the 2013 legislative session which includes provisions amending s. 61.30, Florida Statutes, similar to those in this bill, it is the intent of the Legislature that the provisions of this bill shall prevail.*

And the title is amended as follows:

Delete line 5 and insert: the adjustment of awards of child support; providing legislative intent; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 1210** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

SB 1800—A bill to be entitled An act relating to public records; amending s. 119.071, F.S., relating to a public records exemption for agency records concerning complaints of employment discrimination; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1800** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

CS for SB 1756—A bill to be entitled An act relating to public records; creating s. 595.409, F.S.; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative

review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1756** was placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:54 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Arnett E. Girardeau of Jacksonville who was present in the chamber.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

Consideration of **CS for SB 1770** was deferred.

CS for SB 142—A bill to be entitled An act relating to intellectual disabilities; amending s. 39.502, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens for purposes of certain proceedings relating to children; amending ss. 40.013, 86.041, 92.53, 92.54, and 92.55, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 320.10, F.S.; substituting the Arc of Florida for the Association for Retarded Citizens; amending ss. 383.14, 393.063, 393.11, and 394.455, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; clarifying in s. 393.063, that the meaning of the terms “intellectual disability” or “intellectually disabled” is the same as the meaning of the terms “mental retardation,” “retarded,” and “mentally retarded” for purposes of matters relating to the criminal laws and court rules; amending s. 400.960, F.S.; revising definitions relating to intermediate care facilities for the developmentally disabled to delete unused terms; amending s. 408.032, F.S.; conforming a cross-reference; amending s. 409.908, F.S.; substituting the term “intellectually disabled” for the term “mentally retarded”; amending ss. 413.20, 440.49, and 499.0054, F.S.; substituting the term “intellectually disabled” for the term “mental retardation”; amending s. 514.072, F.S.; conforming a cross-reference and deleting obsolete provisions; amending ss. 627.6041, 627.6615, 641.31, 650.05, 765.204, 849.04, 914.16, 914.17, 916.105, and 916.106, F.S.; substituting the term “intellectual disability” for the term “mental retardation”; amending s. 916.107, F.S.; substituting the term “intellectual disability” for the term “retardation”; providing a directive to the Division of Law Revision and Information; amending ss. 916.301, 916.3012, 916.302, 916.3025, 916.303, 916.304, 918.16, 921.137, 941.38, 944.602, 945.025, 945.12,

945.42, 947.185, 984.19, 985.14, 985.145, 985.18, 985.19, 985.195, and 985.61, F.S.; clarifying in s. 921.137, F.S., that the terms “intellectual disability” or “intellectually disabled” are interchangeable with and have the same meaning as the terms “mental retardation,” or “retardation” and “mentally retarded,” as defined before the effective date of the act; substituting the term “intellectual disability” for the term “mental retardation”; expressing legislative intent; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for SB 142** was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Soto
Braynon	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Evers	Legg	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia, Margolis, Sobel

SB 282—A bill to be entitled An act relating to consumer finance charges; amending s. 516.031, F.S.; increasing the proportionate loan amounts that are subject to descending maximum rates of interest; increasing the maximum delinquency charge that may be imposed for each loan payment in default for not less than a specified time; reenacting and amending s. 516.19, F.S., relating to penalties, for the purpose of incorporating the amendment made to s. 516.031, F.S., in a reference thereto; providing penalties; making technical and grammatical changes; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 282** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Latvala	Stargel
Dean	Lee	Thrasher
Detert	Legg	
Evers	Margolis	

Nays—3

Joyner	Soto	Thompson
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Vote after roll call:

Yea—Garcia

CS for SB 320—A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all gasoline offered for sale in this state include a percentage of ethanol,

subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

—as amended April 16 was read the third time by title.

Pending further consideration of **CS for SB 320** as amended, on motion by Senator Evers, by two-thirds vote **HB 4001** was withdrawn from the Committees on Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation.

On motion by Senator Evers, by two-thirds vote—

HB 4001—A bill to be entitled An act relating to the Florida Renewable Fuel Standard Act; repealing ss. 526.201-526.207, F.S., the Florida Renewable Fuel Standard Act, to remove the requirement that all gasoline offered for sale in this state include a percentage of ethanol, subject to specified exemptions, waivers, suspensions, extensions, enforcement, and reporting; amending s. 206.43, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 320** as amended and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 4001** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Montford
Altman	Galvano	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Dean	Joyner	Sobel
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Margolis	Thrasher

Nays—1

Soto

Vote after roll call:

Yea—Garcia, Legg

Nay—Clemens

Yea to Nay—Benacquisto, Richter

CS for CS for SB 398—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing a supervisory physician to delegate to a licensed physician assistant the authority to order medications for the supervisory physician’s patient in a facility licensed under ch. 395, F.S.; deleting provisions to conform to changes made by the act; providing that an order is not a prescription; authorizing a licensed physician assistant to order medication under the direction of the supervisory physician; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for SB 398** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Brandes	Flores
Abruzzo	Braynon	Galvano
Altman	Dean	Gardiner
Bean	Detert	Gibson
Benacquisto	Diaz de la Portilla	Grimsley
Bradley	Evers	Hays

Hukill	Richter	Sobel
Joyner	Ring	Soto
Latvala	Sachs	Stargel
Legg	Simmons	Thompson
Margolis	Simpson	Thrasher
Montford	Smith	

Nays—None

Vote after roll call:

Yea—Garcia

Consideration of **CS for HB 7013** was deferred.

CS for SB 648—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; authorizing a health insurer to immediately begin using long-term care insurance advertising material under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for SB 648** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Ring
Abruzzo	Galvano	Sachs
Altman	Gardiner	Simmons
Bean	Gibson	Simpson
Benacquisto	Grimsley	Smith
Bradley	Hays	Sobel
Brandes	Hukill	Soto
Braynon	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—1

Joyner

Vote after roll call:

Yea—Garcia, Richter

CS for CS for SB 682—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

—as amended April 16 was read the third time by title.

Senator Simpson moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (359642)—Delete lines 69-74 and insert: *or might be used for human or livestock water consumption;*

b. The placement of the fossil fuel combustion product does not extend beyond the outside edge of the structure or pavement. Placement of the structure or pavement must be completed as soon as practicable after placement of the fossil fuel combustion product;

c. The fossil fuel combustion product is not placed so that such product, or any constituent thereof, may enter other lands or be emitted into the air or discharged into any waters, including groundwaters, or otherwise enter the environment in a manner that causes a significant threat to public health or contamination in excess of applicable department standards and criteria; and

d. The owner or duly authorized agent of the owner of the property where the product is placed has given the department written notice, which may be submitted electronically, of the dates, placement locations, and types of fossil fuel combustion products used for structural fill or pavement aggregate.

On motion by Senator Simpson, **CS for CS for SB 682** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Garcia

CS for SB 778—A bill to be entitled An act relating to transactions in fresh produce markets; providing definitions; authorizing certain owners and operators of farmers' markets, community farmers' markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Thompson, **CS for SB 778** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Garcia

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for SB 778** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

- Baker Farm Center
- Akers of Strawberries

As permitted by Senate Rule, I may vote on this matter.

Senator Greg Evers, 2nd District

Consideration of **SB 1042** was deferred.

CS for CS for SB 1300—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; providing fees; establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future and contingent amendment of fees of the Department of State; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

—as amended April 16 was read the third time by title.

Senator Simmons moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (615404)—Delete line 2350 and insert:

1. *The records described in subsection (1); and*

Amendment 2 (306882)—Delete line 5018 and insert:

- (3) *In addition to the requirements of subsection (2),*

On motion by Senator Latvala, **CS for CS for SB 1300** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 1480—A bill to be entitled An act relating to interlocal agreements; amending s. 163.01, F.S.; modifying the definition of “public agency” to include a public transit provider; providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Latvala, **SB 1480** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for CS for SB 1632—A bill to be entitled An act relating to transportation; amending s. 163.01, F.S.; modifying the definition of the term “public agency” to include a public transit provider; providing that a public agency of this state may have membership in a separate legal entity created under the Florida Interlocal Cooperation Act of 1969; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; providing that certain programs approved by the Federal Government relating to the maintenance of highway roadside rights-of-way must be submitted to the Legislature for approval; amending s. 373.618, F.S.; providing that certain public information systems operated by water management districts must be

approved by the Department of Transportation and the Federal Highway Administration if such approval is required by certain laws and regulations; amending provisions of ch. 479, F.S., relating to outdoor advertising signs; amending s. 479.01, F.S.; revising and deleting definitions; amending s. 479.02, F.S.; revising powers of the department relating to nonconforming signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs in commercial or industrial zones; defining the terms “parcel” and “utilities”; providing mandatory criteria for local governments to use in determining zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; providing that specified uses may not be independently recognized as commercial or industrial areas; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; providing for notice to owners of intervening privately owned lands before entering upon such lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; requiring an application fee; revising sign placement requirements for signs on certain highways; deleting provisions that establish a pilot program relating to placement and removing a permit reinstatement fee; amending s. 479.08, F.S.; clarifying provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; providing for cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures providing for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; amending s. 479.106, F.S.; increasing an administrative penalty for illegally removing certain vegetation; amending s. 479.107, F.S.; deleting fines for certain signs on highway rights-of-way; amending s. 479.111, F.S.; clarifying provisions relating to signs allowed on certain highways; amending s. 479.15, F.S.; deleting a definition; clarifying and conforming provisions related to permitted signs on property that is the subject of public acquisition; amending s. 479.156, F.S.; clarifying provisions related to the regulation of wall murals; amending s. 479.16, F.S.; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely affect the allocation of federal funds to the department; exempting from permit requirements certain signs placed by tourist-oriented businesses, certain farm signs during harvest season, acknowledgement signs on publicly funded school premises, and certain displays on specific sports facilities; providing for the removal of signs if certain exemptions do not apply because the allocation of federal funds to the department will be adversely impacted; amending s. 479.24, F.S.; clarifying provisions relating to compensation paid for the department’s acquisition of lawful signs; amending s. 479.25, F.S.; requiring a local government to grant a variance or waiver to a local ordinance or regulation to allow the owner of a lawfully permitted sign to increase the height of the sign if a noise-attenuation barrier is permitted by or erected by a governmental entity in a way that interferes with the visibility of the sign; deleting provisions to conform; amending s. 479.261, F.S.; conforming provisions related to a logo sign program on limited access highways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; providing an effective date.

—as amended April 16 was read the third time by title.

Senator Latvala moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (110108)—Delete lines 476-486 and insert:

(e) If, in the discretion of the department, a sale to anyone other than an abutting property owner would be inequitable, the property may be sold to the abutting owner for the department’s current estimate of value

the department begins the process for disposing of the property on its own initiative, either by negotiation under the provisions of paragraph (a), paragraph (c), paragraph (d), or paragraph (i), or by receipt of sealed competitive bids or public auction under the provisions of paragraph (b) or paragraph (i), a department staff appraiser may determine the fair market value of the property by an appraisal.

Amendment 2 (434570) (with title amendment)—Delete lines 634-639 and insert: essential information needed by the public. ~~Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed by the water management district on its own property. A public information system is subject to exempt from the requirements of chapter 479. However, a public information system that is subject to the~~

And the title is amended as follows:

Delete lines 33 and 34 and insert: the Legislature for approval; amending s. 373.618, F.S.; deleting a provision that exempts public information systems operated by water management districts from review and approval by local governments; providing that such systems are subject to the requirements of ch. 479, F.S.; providing that certain public information

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (213772) (with title amendment)—Between lines 1954 and 1955 insert:

Section 24. Subsection (1) of section 479.262, Florida Statutes, is amended to read:

479.262 Tourist-oriented directional sign program.—

(1) A tourist-oriented directional sign program to provide directions to rural tourist-oriented businesses, services, and activities may be established at intersections on rural and conventional state, county, or municipal roads only in rural counties identified by criteria and population in s. 288.0656 when approved and permitted by county or local government entities within their respective jurisdictional areas at intersections on rural and conventional state, county, or municipal roads. A county or local government that which issues permits for a tourist-oriented directional sign program is shall be responsible for sign construction, maintenance, and program operation in compliance with subsection (3) for roads on the state highway system and may establish permit fees sufficient to offset associated costs. A tourist-oriented directional sign may not be used on roads in urban areas or at interchanges on freeways or expressways.

And the title is amended as follows:

Delete line 117 and insert: sign program on limited access highways; amending s. 479.262, F.S.; clarifying provisions relating to a tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas; amending s.

On motion by Senator Latvala, CS for CS for CS for SB 1632 as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Hukill
Abruzzo	Diaz de la Portilla	Joyner
Altman	Evers	Latvala
Bean	Flores	Lee
Benacquisto	Galvano	Legg
Bradley	Garcia	Margolis
Brandes	Gardiner	Montford
Braynon	Gibson	Richter
Clemens	Grimsley	Ring
Dean	Hays	Sachs

Simmons	Sobel	Thompson
Simpson	Soto	Thrasher
Smith	Stargel	

Nays—None

SB 1806—A bill to be entitled An act relating to total maximum daily loads; amending s. 403.067, F.S.; exempting total maximum daily load rules from legislative ratification; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **SB 1806** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

SENATOR RICHTER PRESIDING

CS for SB 1808—A bill to be entitled An act relating to numeric nutrient criteria; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to implement specified provisions to control nutrient load in state waters; authorizing the department to implement specified nutrient standards; providing for deletion of a specified rule from the Florida Administrative Code; providing that specified nutrient criteria rules are subject to specified provisions of the Florida Administrative Code; exempting such nutrient criteria rules from ratification by Legislature under s. 120.541(3), F.S.; directing the department to establish numeric interpretations of the narrative nutrient criterion for certain estuaries and waters, subject to specified provisions and standards; directing the department to submit a specified report to the Governor and Legislature; providing an effective date.

—was read the third time by title.

Senator Soto moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (596312) (with title amendment)—Between lines 114 and 115 insert:

Section 6. (1) *For purposes of this section, the term “algae bloom” includes, but is not limited to, periphyton, phytoplankton, and macroalgae occupying an area of at least 10,000 square feet in a water of the state.*

(2) *The Department of Environmental Protection shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives before January 1, 2014, disclosing the following information regarding exposure to freshwater or saltwater containing an algae bloom:*

(a) *The number of children and adults diagnosed with skin rashes, acute respiratory illness, or gastrointestinal symptoms occurring within 10 minutes of exposure.*

(b) *The number of domestic dogs and livestock that died within 3 hours of exposure.*

(c) *The number of manatees and seabirds that died within 30 days of exposure.*

(d) *For each water body containing an algae bloom associated with any of the reported incidents described in paragraphs (a) through (c), whether the department’s numeric nutrient rules were violated between January 1, 2013, and January 1, 2014.*

And the title is amended as follows:

Delete lines 17 and 18 and insert: directing the department to submit specified reports to the Governor and Legislature; providing an

On motion by Senator Dean, **CS for SB 1808** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Dean	Joyner	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—4

Abruzzo	Clemens	Negron
Soto		

Vote after roll call:

Yea to Nay—Sobel

Consideration of **CS for CS for HB 55** was deferred.

CS for SB 376—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; creating an exemption from public records requirements for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

—as amended April 16 was read the third time by title.

Pending further consideration of **CS for SB 376** as amended, on motion by Senator Hays, by two-thirds vote **CS for HB 731** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hays, by two-thirds vote—

CS for HB 731—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of active or former sworn or civilian law enforcement personnel, including children

and spouses of correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; creating an exemption from public records requirements for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, and assistant statewide prosecutors; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 376** as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for HB 731** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Garcia

CS for SB 496—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 496**, on motion by Senator Dean, by two-thirds vote **CS for HB 571** was withdrawn from the Committees on Judiciary; Criminal Justice; and Rules.

On motion by Senator Dean, by two-thirds vote—

CS for HB 571—A bill to be entitled An act relating to the marshal of the Supreme Court; amending s. 25.251, F.S.; revising terminology; requiring the marshal and his or her deputies to comply with specified requirements for law enforcement officers; specifying that the marshal and his or her deputies are law enforcement officers with full powers to bear arms and make arrests under certain conditions; limiting the use of those powers to the performance of official duties for the Supreme Court; amending s. 25.271, F.S.; deleting provisions relating to the marshal and his or her deputies being conservators of the peace; providing an effective date.

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

On motion by Senator Dean, by two-thirds vote **CS for HB 571** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Clemens	Hukill	Soto
Dean	Joyner	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Benacquisto, Legg, Simpson, Stargel

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; reorganizing provisions relating to license fees for certain practitioners; amending s. 456.076, F.S.; providing that the Department of Financial Services shall defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of the impaired practitioners; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Bean, **SB 604** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto, Garcia

CS for CS for SB 650—A bill to be entitled An act relating to the artificial coloring and sale of certain animals and fowl; creating s. 828.1615, F.S.; providing that it is unlawful to sell, barter, or give away animals or fowl that have been dyed or colored; providing that it is unlawful to sell, offer to sell, or give away certain animals of a certain age to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; providing an effective date.

—was read the third time by title.

THE PRESIDENT PRESIDING

On motion by Senator Sachs, **CS for CS for SB 650** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

On motion by Senator Richter—

CS for CS for HB 55—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 55** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Lee	Soto
Diaz de la Portilla	Legg	Stargel
Evers	Margolis	Thrasher

Nays—4

Abruzzo	Detert	Joyner
Thompson		

Vote after roll call:

Nay to Yea—Detert

By direction of the President, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2, with 1 amendment, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

CS for SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising definitions; creating s. 112.3125, F.S.; defining the term "public officer"; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; creating s. 112.3142, F.S.; defining the term "constitutional officers"; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for "principal" and "special private gain or loss"; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for "electronic filing system"; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives

for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission's proposal; amending s. 112.3145, F.S.; revising the definitions of "local officer" and "specified state employee"; revising procedures for the filing of a statement of financial interests with a candidate's qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the commission to dismiss a complaint of a de minimis violation; providing exceptions;

defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; correcting a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

House Amendment 1 (005347) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 112.312, Florida Statutes, is amended to read:

112.312 Definitions.—As used in this part and for purposes of the provisions of s. 8, Art. II of the State Constitution, unless the context otherwise requires:

(5) "Business entity" means any corporation, partnership, limited partnership, *company*, *limited liability company*, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.

(12)

(b) "Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.

2. *Except as provided in s. 112.31485*, contributions or expenditures reported pursuant to chapter 106, contributions or expenditures reported pursuant to federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party or affiliated party committee.

3. An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.

4. An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.

5. An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.

6. The use of a public facility or public property, made available by a governmental agency, for a public purpose.

7. Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.

8. Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

Section 2. Section 112.3125, Florida Statutes, is created to read:

112.3125 *Dual public employment.*—

(1) *As used in this section, the term "public officer" includes any person who is elected to state or local office or, for the period of his or her candidacy, any person who has qualified as a candidate for state or local office.*

(2) *A public officer may not accept public employment with the state or any of its political subdivisions if the public officer knows, or with the exercise of reasonable care should know, that the position is being offered by the employer for the purpose of gaining influence or other advantage based on the public officer's office or candidacy.*

(3) *Any public employment accepted by a public officer must meet all of the following conditions:*

(a)1. *The position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position;*

2. *The position was publicly advertised;*

3. *The public officer was subject to the same application and hiring process as other candidates for the position; and*

4. *The public officer meets or exceeds the required qualifications for the position.*

(4) *A person who was employed by the state or any of its political subdivisions before qualifying as a public officer for his or her current term of office or the next available term of office may continue his or her employment. However, he or she may not accept promotion, advancement, additional compensation, or anything of value that he or she knows, or with the exercise of reasonable care should know, is provided or given as a result of his or her election or position, or that is otherwise inconsistent with the promotion, advancement, additional compensation, or anything of value provided or given an employee who is similarly situated.*

(5) *This section may not be interpreted as authorizing employment that is otherwise prohibited by law.*

Section 3. Paragraph (a) of subsection (9) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

(a)1. It is the intent of the Legislature to implement by statute the provisions of s. 8(e), Art. II of the State Constitution relating to legislators, statewide elected officers, appointed state officers, and designated public employees.

2. As used in this paragraph:

a. "Employee" means:

(I) Any person employed in the executive or legislative branch of government holding a position in the Senior Management Service as defined in s. 110.402 or any person holding a position in the Selected Exempt Service as defined in s. 110.602 or any person having authority over policy or procurement employed by the Department of the Lottery.

(II) The Auditor General, the director of the Office of Program Policy Analysis and Government Accountability, the Sergeant at Arms and Secretary of the Senate, and the Sergeant at Arms and Clerk of the House of Representatives.

(III) The executive director and deputy executive director of the Commission on Ethics.

(IV) An executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, analyst, or attorney of the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, Senate Minority Party Office, House Majority Party Office, or House Minority Party Office; or any person, hired on a contractual basis, having the power normally conferred upon such persons, by whatever title.

(V) The Chancellor and Vice Chancellors of the State University System; the general counsel to the Board of Governors of the State

University System; and the president, provost, vice presidents, and deans of each state university.

(VI) Any person, including an other-personal-services employee, having the power normally conferred upon the positions referenced in this sub-subparagraph.

b. "Appointed state officer" means any member of an appointive board, commission, committee, council, or authority of the executive or legislative branch of state government whose powers, jurisdiction, and authority are not solely advisory and include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relative to its internal operations.

c. "State agency" means an entity of the legislative, executive, or judicial branch of state government over which the Legislature exercises plenary budgetary and statutory control.

3.a. No member of the Legislature, appointed state officer, or statewide elected officer shall personally represent another person or entity for compensation before the government body or agency of which the individual was an officer or member for a period of 2 years following vacation of office. No member of the Legislature shall personally represent another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals or in settlement negotiations after the filing of a lawsuit.

b. *For a period of 2 years following vacation of office, a former member of the Legislature may not act as a lobbyist for compensation before an executive branch agency, agency official, or employee. The terms used in this sub-subparagraph have the same meanings as provided in s. 112.3215.*

4. An agency employee, including an agency employee who was employed on July 1, 2001, in a Career Service System position that was transferred to the Selected Exempt Service System under chapter 2001-43, Laws of Florida, may not personally represent another person or entity for compensation before the agency with which he or she was employed for a period of 2 years following vacation of position, unless employed by another agency of state government.

5. Any person violating this paragraph shall be subject to the penalties provided in s. 112.317 and a civil penalty of an amount equal to the compensation which the person receives for the prohibited conduct.

6. This paragraph is not applicable to:

a. A person employed by the Legislature or other agency prior to July 1, 1989;

b. A person who was employed by the Legislature or other agency on July 1, 1989, whether or not the person was a defined employee on July 1, 1989;

c. A person who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994;

d. A person who has reached normal retirement age as defined in s. 121.021(29), and who has retired under the provisions of chapter 121 by July 1, 1991; or

e. Any appointed state officer whose term of office began before January 1, 1995, unless reappointed to that office on or after January 1, 1995.

Section 4. Section 112.3142, Florida Statutes, is created to read:

112.3142 *Ethics training for specified constitutional officers.—*

(1) *As used in this section, the term "constitutional officers" includes the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools.*

(2)(a) *All constitutional officers must complete 4 hours of ethics training annually that addresses, at a minimum, s. 8, Art. II of the State*

Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

(b) The commission shall adopt rules establishing minimum course content for the portion of an ethics training class that addresses s. 8, Art. II of the State Constitution and the Code of Ethics for Public Officers and Employees.

(3) Each house of the Legislature shall provide for ethics training pursuant to its rules.

Section 5. Section 112.31425, Florida Statutes, is created to read:

112.31425 Qualified blind trusts.—

(1) The Legislature finds that if a public officer creates a trust and does not control the interests held by the trust, his or her official actions will not be influenced or appear to be influenced by private considerations.

(2) If a public officer holds a beneficial interest in a qualified blind trust as described in this section, he or she does not have a conflict of interest prohibited under s. 112.313(3) or (7) or a voting conflict of interest under s. 112.3143 with regard to matters pertaining to that interest.

(3) The public officer may not attempt to influence or exercise any control over decisions regarding the management of assets in a qualified blind trust. The public officer or any person having a beneficial interest in the qualified blind trust may not make any effort to obtain information with respect to the holdings of the trust, including obtaining a copy of any trust tax return filed or any information relating thereto, except as otherwise provided in this section.

(4) Except for communications that consist solely of requests for distributions of cash or other unspecified assets of the trust, the public officer or the person who has a beneficial interest may not have any direct or indirect communication with the trustee with respect to the trust, unless such communication is in writing and relates only to:

(a) A distribution from the trust which does not specify the source or assets within the trust from which the distribution is to be made in cash or in kind;

(b) The general financial interests and needs of the public officer or the person who has a beneficial interest, including, but not limited to, an interest in maximizing income or long-term capital gain;

(c) A notification of the trustee of a law or regulation subsequently applicable to the public officer which prohibits the officer from holding an asset and directs that the asset not be held by the trust; or

(d) A direction to the trustee to sell all of an asset initially placed in the trust by the public officer which, in the determination of the public officer, creates a conflict of interest or the appearance thereof due to the subsequent assumption of duties by the public officer.

(5) The public officer shall report the beneficial interest in the qualified blind trust and its value as an asset on his or her financial disclosure form, if the value is required to be disclosed. The public officer shall report the blind trust as a primary source of income on his or her financial disclosure forms and its amount, if the amount of income is required to be disclosed. The public officer is not required to report as a secondary source of income any source of income to the blind trust.

(6) In order to constitute a qualified blind trust, the trust established by the public officer must meet the following requirements:

(a) The appointed trustee must be a bank, trust company, or other institutional fiduciary or an individual who is an attorney, certified public accountant, broker, or investment advisor. If the trustee is an individual or if the trustee is a bank, trust company, or other institutional fiduciary, the individual responsible for managing the trust may not be:

1. The public officer's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin, or the spouse of any such person;

2. A person who is an elected or appointed public officer or a public employee;

3. A person who has been appointed to serve in an agency by the public officer or by a public officer or public employee supervised by the public officer; or

4. A business associate or principal of the public officer.

(b) All assets in the trust must be free of any restrictions with respect to their transfer or sale. The trust may not contain investments or assets the transfer of which by the trustee is improbable or impractical without the public officer's knowledge.

(c) The trust agreement must:

1. Contain a statement that its purpose is to remove from the grantor control and knowledge of investment of trust assets so that conflicts between the grantor's responsibilities as a public officer and his or her private interests are eliminated.

2. Give the trustee complete discretion to manage the trust, including, but not limited to, the power to dispose of and acquire trust assets without consulting or notifying the covered public officer or the person having a beneficial interest in the trust.

3. Prohibit communication between the trustee and the public officer, or the person who has a beneficial interest in the trust, concerning the holdings or sources of income of the trust, except amounts of cash value or net income or loss, if such report does not identify any asset or holding, or except as provided in this section.

4. Provide that the trust tax return is prepared by the trustee or his or her designee and that any information relating thereto is not disclosed to the public officer or to the person who has a beneficial interest, except as provided in this section.

5. Permit the trustee to notify the public officer of the date of disposition and value at disposition of any original investment or interest in real property to the extent required by federal tax law so that the information can be reported on the public officer's applicable tax returns.

6. Prohibit the trustee from disclosing to the public officer or the person who has a beneficial interest any information concerning replacement assets to the trust, except for the minimum tax information necessary to enable the public official to complete an individual tax return required by law.

(d) Within 5 business days after the agreement is executed, the public officer shall file with the commission a notice setting forth:

1. The date that the agreement is executed.

2. The name and address of the trustee.

3. The acknowledgement by the trustee that he or she has agreed to serve as trustee.

4. A certification by the trustee on a form prescribed by the commission that the trust meets all of the requirements of this section. In lieu of said certification, the public officer may file a copy of the trust agreement.

5. A complete list of assets placed in the trust that the public officer would be required to disclose pursuant to ss. 112.3144 or 112.3145.

(7) If the trust is revoked while the covered public official is a public officer, or if the covered public official learns of any replacement assets that have been added to the trust, the covered public official shall file an amendment to his or her most recent financial disclosure statement. The amendment shall be filed no later than 60 days after the date of revocation or the addition of the replacement assets. The covered public official shall disclose the previously unreported pro rata share of the trust's interests in investments or income deriving from any such investments. For purposes of this section, any replacement asset that becomes known to the covered public official shall thereafter be treated as though it were an original asset of the trust.

Section 6. Subsections (1) and (2) of section 112.3143, Florida Statutes, are amended, current subsection (5) of that section is renumbered

as subsection (6), and a new subsection (5) is added to that section, to read:

112.3143 Voting conflicts.—

(1) As used in this section:

(a) “Principal by whom retained” means an individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one’s client, employer, or the parent, subsidiary, or sibling organization of one’s client or employer.

(b) “Public officer” includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(c) “Relative” means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(d) “Special private gain or loss” means an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.
2. The nature of the interests involved.
3. The degree to which the interests of all members of the class are affected by the vote.
4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

(2)(a) A No state public officer may not vote on any matter that the officer knows would inure to his or her special private gain or loss is prohibited from voting in an official capacity on any matter. However, Any state public officer who abstains from voting in an official capacity upon any measure that which the officer knows would inure to the officer’s special private gain or loss, or who votes in an official capacity on a measure that, which he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained other than an agency as defined in s. 112.312(2); or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer, shall make every reasonable effort to, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

(b) A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member’s respective house if the member discloses the information required by this subsection.

(5) If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Section 7. Subsection (2) of section 112.3144, Florida Statutes, is amended, present subsection (7) is renumbered as subsection (9), and new subsections (7) and (8) are added to that section, to read:

112.3144 Full and public disclosure of financial interests.—

(2) A person who is required, pursuant to s. 8, Art. II of the State Constitution, to file a full and public disclosure of financial interests and who has filed a full and public disclosure of financial interests for any calendar or fiscal year shall not be required to file a statement of financial interests pursuant to s. 112.3145(2) and (3) for the same year or for any part thereof notwithstanding any requirement of this part. When a candidate has qualified for office, the qualifying officer shall forward an electronic copy of the full and public disclosure of financial interests to the commission no later than July 1. The electronic copy of the full and public disclosure of financial interests satisfies the annual disclosure requirement of this section. A candidate who does not qualify until after the annual full and public disclosure has been filed pursuant to this section, except that a candidate for office shall file a copy of his or her disclosure with the officer before whom he or she qualifies.

(7)(a) The commission shall treat an amended full and public disclosure of financial interests that is filed prior to September 1 of the current year as the original filing, regardless of whether a complaint has been filed. If a complaint pertaining to the current year alleges a failure to properly and accurately disclose any information required by this section or if a complaint filed pertaining to a previous reporting period within the preceding 5 years alleges a failure to properly and accurately disclose any information required to be disclosed by this section, the commission may immediately follow complaint procedures in s. 112.324. However, if a complaint filed after August 25 alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file an amended full and public disclosure of financial interests correcting any errors. If the filer does not file an amended full and public disclosure of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(b) For purposes of the final full and public disclosure of financial interests, the commission shall treat a new final full and public disclosure of financial interests as the original filing if filed within 60 days after the original filing, regardless of whether a complaint has been filed. If, more than 60 days after a final full and public disclosure of financial interests is filed, a complaint is filed alleging a complete omission of any information required to be disclosed by this section, the commission may immediately follow the complaint procedures in s. 112.324. However, if the complaint alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file a new final full and public disclosure of financial interests correcting any errors. If the filer does not file a new final full and public disclosure of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(c) For purposes of this section, an error or omission is immaterial, inconsequential, or de minimis if the original filing provided sufficient information for the public to identify potential conflicts of interest.

(8)(a) An individual required to file a disclosure pursuant to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual required to file is not a violation of this section.

(b) An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from funds in an office account created pursuant to s. 106.141 or, during a year that the individual qualifies for election to public office, the candidate’s campaign depository pursuant to s. 106.021.

Section 8. Section 112.31445, Florida Statutes, is created to read:

112.31445 Electronic filing system; full and public disclosure of financial interests.—

(1) *As used in this section, the term “electronic filing system” means an Internet system for recording and reporting full and public disclosure of financial interests or any other form that is required pursuant to s. 112.3144.*

(2) *Beginning with the 2012 filing year, all full and public disclosures of financial interests filed with the commission pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 must be scanned and made publicly available by the commission through a searchable Internet database.*

(3) *By December 1, 2015, the commission shall submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system. The proposal must, at a minimum:*

(a) *Provide for access through the Internet.*

(b) *Establish a procedure to make filings available in a searchable format that is accessible by an individual using standard web-browsing software.*

(c) *Provide for direct completion of the full and public disclosure of financial interests forms as well as upload such information using software approved by the commission.*

(d) *Provide a secure method that prevents unauthorized access to electronic filing system functions.*

(e) *Provide a method for an attorney or certified public accountant licensed in this state to sign the disclosure form to indicate that he or she prepared the form in accordance with s. 112.3144 and the instructions for completing and filing the disclosure form and that, upon his or her reasonable knowledge and belief, the form is true and correct.*

(f) *Address whether additional statutory or rulemaking authority is necessary for implementation of the system, and must include, at a minimum, the following elements: alternate filing procedures to be used in the event that the commission’s electronic filing system is inoperable, issuance of an electronic receipt via electronic mail indicating and verifying to the individual who submitted the full and public disclosure of financial interests form that the form has been filed, and a determination of the feasibility and necessity of including statements of financial interests filed pursuant to s. 112.3145 in the proposed system.*

Section 9. Paragraphs (a) and (b) of subsection (1), paragraph (a) of subsection (2), and subsection (3) of section 112.3145, Florida Statutes, are amended, present subsection (9) of that section is renumbered as subsection (11), and new subsections (9) and (10) are added to that section, to read:

112.3145 Disclosure of financial interests and clients represented before agencies.—

(1) For purposes of this section, unless the context otherwise requires, the term:

(a) “Local officer” means:

1. Every person who is elected to office in any political subdivision of the state, and every person who is appointed to fill a vacancy for an unexpired term in such an elective office.

2. Any appointed member of any of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision of the state:

a. The governing body of the political subdivision, if appointed;

~~b. An expressway authority or transportation authority established by general law;~~

b.e. A community college or junior college district board of trustees;

c.d. A board having the power to enforce local code provisions;

d.e. A planning or zoning board, board of adjustment, board of appeals, *community redevelopment agency board*, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and such other groups who only have the power to make recommendations to planning or zoning boards;

e.f. A pension board or retirement board having the power to invest pension or retirement funds or the power to make a binding determination of one’s entitlement to or amount of a pension or other retirement benefit; or

f.g. Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

3. Any person holding one or more of the following positions: mayor; county or city manager; chief administrative employee of a county, municipality, or other political subdivision; county or municipal attorney; *finance director of a county, municipality, or other political subdivision*; chief county or municipal building code inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator, with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; district school superintendent; community college president; district medical examiner; or purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in s. 287.017 for CATEGORY ONE, on behalf of any political subdivision of the state or any entity thereof.

(b) “Specified state employee” means:

1. Public counsel created by chapter 350, an assistant state attorney, an assistant public defender, *a criminal conflict and civil regional counsel, an assistant criminal conflict and civil regional counsel*, a full-time state employee who serves as counsel or assistant counsel to any state agency, the Deputy Chief Judge of Compensation Claims, a judge of compensation claims, an administrative law judge, or a hearing officer.

2. Any person employed in the office of the Governor or in the office of any member of the Cabinet if that person is exempt from the Career Service System, except persons employed in clerical, secretarial, or similar positions.

3. The State Surgeon General or each appointed secretary, assistant secretary, deputy secretary, executive director, assistant executive director, or deputy executive director of each state department, commission, board, or council; unless otherwise provided, the division director, assistant division director, deputy director, bureau chief, and assistant bureau chief of any state department or division; or any person having the power normally conferred upon such persons, by whatever title.

4. The superintendent or institute director of a state mental health institute established for training and research in the mental health field or the warden or director of any major state institution or facility established for corrections, training, treatment, or rehabilitation.

5. Business managers, purchasing agents having the power to make any purchase exceeding the threshold amount provided for in s. 287.017 for CATEGORY ONE, finance and accounting directors, personnel officers, or grants coordinators for any state agency.

6. Any person, other than a legislative assistant exempted by the presiding officer of the house by which the legislative assistant is employed, who is employed in the legislative branch of government, except persons employed in maintenance, clerical, secretarial, or similar positions.

7. Each employee of the Commission on Ethics.

(2)(a) A person seeking nomination or election to a state or local elective office shall file a statement of financial interests together with, and at the same time he or she files, qualifying papers. *When a candidate has qualified for office prior to the deadline to file an annual statement of*

financial interests, the statement of financial interests that is filed with the candidate's qualifying papers shall be deemed to satisfy the annual disclosure requirement of this section. The qualifying officer must record that the statement of financial interests was timely filed. However, if a candidate does not qualify until after the annual statement of financial interests has been filed, the candidate may file a copy of his or her statement with the qualifying officer.

(3) The statement of financial interests for state officers, specified state employees, local officers, and persons seeking to qualify as candidates for state or local office shall be filed even if the reporting person holds no financial interests requiring disclosure, in which case the statement shall be marked "not applicable." Otherwise, the statement of financial interests shall include, at the filer's option, either:

(a)1. All sources of income in excess of 5 percent of the gross income received during the disclosure period by the person in his or her own name or by any other person for his or her use or benefit, excluding public salary. However, this shall not be construed to require disclosure of a business partner's sources of income. The person reporting shall list such sources in descending order of value with the largest source first;

2. All sources of income to a business entity in excess of 10 percent of the gross income of a business entity in which the reporting person held a material interest and from which he or she received an amount which was in excess of 10 percent of his or her gross income during the disclosure period and which exceeds \$1,500. The period for computing the gross income of the business entity is the fiscal year of the business entity which ended on, or immediately prior to, the end of the disclosure period of the person reporting;

3. The location or description of real property in this state, except for residences and vacation homes, owned directly or indirectly by the person reporting, when such person owns in excess of 5 percent of the value of such real property, and a general description of any intangible personal property worth in excess of 10 percent of such person's total assets. For the purposes of this paragraph, indirect ownership does not include ownership by a spouse or minor child; and

4. Every individual liability that equals more than the reporting person's net worth; or

(b)1. All sources of gross income in excess of \$2,500 received during the disclosure period by the person in his or her own name or by any other person for his or her use or benefit, excluding public salary. However, this shall not be construed to require disclosure of a business partner's sources of income. The person reporting shall list such sources in descending order of value with the largest source first;

2. All sources of income to a business entity in excess of 10 percent of the gross income of a business entity in which the reporting person held a material interest and from which he or she received gross income exceeding \$5,000 during the disclosure period. The period for computing the gross income of the business entity is the fiscal year of the business entity which ended on, or immediately prior to, the end of the disclosure period of the person reporting;

3. The location or description of real property in this state, except for residence and vacation homes, owned directly or indirectly by the person reporting, when such person owns in excess of 5 percent of the value of such real property, and a general description of any intangible personal property worth in excess of \$10,000. For the purpose of this paragraph, indirect ownership does not include ownership by a spouse or minor child; and

4. Every liability in excess of \$10,000.

A person filing a statement of financial interests shall indicate on the statement whether he or she is using the method specified in paragraph (a) or paragraph (b) of this subsection.

(9)(a) *The commission shall treat an amended statement of financial interests that is filed prior to September 1 of the current year as the original filing, regardless of whether a complaint has been filed. If a complaint pertaining to the current year alleges a failure to properly and accurately disclose any information required by this section or if a complaint filed pertaining to a previous reporting period within the preceding 5 years alleges a failure to properly and accurately disclose any in-*

formation required to be disclosed by this section, the commission may immediately follow complaint procedures in s. 112.324. However, if a complaint filed after August 25 alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file an amended statement of financial interests correcting any errors. If the filer does not file an amended statement of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(b) *For purposes of the final statement of financial interests, the commission shall treat a new final statement of financial interests, as the original filing, if filed within 60 days of the original filing regardless of whether a complaint has been filed. If, more than 60 days after a final statement of financial interests is filed, a complaint is filed alleging a complete omission of any information required to be disclosed by this section, the commission may immediately follow the complaint procedures in s. 112.324. However, if the complaint alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint other than notifying the filer of the complaint. The filer must be given 30 days to file a new final statement of financial interests correcting any errors. If the filer does not file a new final statement of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.*

(c) *For purposes of this section, an error or omission is immaterial, inconsequential, or de minimis if the original filing provided sufficient information for the public to identify potential conflicts of interest.*

(10)(a) *An individual required to file a disclosure pursuant to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual who is required to file the disclosure does not constitute a violation of this section.*

(b) *An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from funds in an office account created pursuant to s. 106.141 or, during a year that the individual qualifies for election to public office, the candidate's campaign depository pursuant to s. 106.021.*

Section 10. Section 112.31455, Florida Statutes, is created to read:

112.31455 Collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests.—

(1) *Before referring any unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(6) to the Department of Financial Services, the commission shall attempt to determine whether the individual owing such a fine is a current public officer or current public employee. If so, the commission may notify the Chief Financial Officer or the governing body of the appropriate county, municipality, or special district of the total amount of any fine owed to the commission by such individual.*

(a) *After receipt and verification of the notice from the commission, the Chief Financial Officer or the governing body of the county, municipality, or special district shall begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the commission until the fine is satisfied.*

(b) *The Chief Financial Officer or the governing body of the county, municipality, or special district may retain an amount of each withheld payment, as provided in s. 77.0305, to cover the administrative costs incurred under this section.*

(2) If the commission determines that the individual who is the subject of an unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(6) is no longer a public officer or public employee or if the commission is unable to determine whether the individual is a current public officer or public employee, the commission may, 6 months after the order becomes final, seek garnishment of any wages to satisfy the amount of the fine, or any unpaid portion thereof, pursuant to chapter 77. Upon recording the order imposing the fine with the clerk of the circuit court, the order shall be deemed a judgment for purposes of garnishment pursuant to chapter 77.

(3) The commission may refer unpaid fines to the appropriate collection agency, as directed by the Chief Financial Officer, to utilize any collection methods provided by law. Except as expressly limited by this section, any other collection methods authorized by law are allowed.

(4) Action may be taken to collect any unpaid fine imposed by ss. 112.3144 and 112.3145 within 20 years after the date the final order is rendered.

Section 11. Section 112.3147, Florida Statutes, is amended to read:

112.3147 Forms.—*Except as otherwise provided*, all information required to be furnished by ss. 112.313, 112.3143, 112.3144, 112.3145, 112.3148, and 112.3149 and by s. 8, Art. II of the State Constitution shall be on forms prescribed by the Commission on Ethics.

Section 12. Paragraph (e) of subsection (2) of section 112.3148, Florida Statutes, is amended and paragraph (f) is added to that subsection, and subsections (3) through (5) of that section are amended, to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(2) As used in this section:

(e) “Procurement employee” means any employee of an officer, department, board, commission, ~~or~~ council, or agency of the executive branch or judicial branch of state government who *has participated in the preceding 12 months* ~~participates~~ through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in s. 287.012, if the cost of such services or commodities exceeds or is expected to exceed \$10,000 ~~\$1,000~~ in any fiscal year.

(f) “Vendor” means a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services.

(3) A reporting individual or procurement employee is prohibited from soliciting any gift from a vendor doing business with the reporting individual’s or procurement employee’s agency, a political committee ~~or~~ committee of continuous existence, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual’s or procurement employee’s agency, or the partner, firm, employer, or principal of such lobbyist, where such gift is for the personal benefit of the reporting individual or procurement employee, another reporting individual or procurement employee, or any member of the immediate family of a reporting individual or procurement employee.

(4) A reporting individual or procurement employee or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly, a gift from a vendor doing business with the reporting individual’s or procurement employee’s agency, a political committee ~~or~~ committee of continuous existence, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual’s or procurement employee’s agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100; however, such a gift may be accepted by such person on behalf of a governmental entity or a charitable organization. If the gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

(5)(a) A vendor doing business with the reporting individual’s or procurement employee’s agency; a political committee ~~or a committee of continuous existence~~, as defined in s. 106.011; a lobbyist who lobbies a reporting individual’s or procurement employee’s agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

(b) However, a person who is regulated by this subsection, who is not regulated by subsection (6), and who makes, or directs another to make, an individual gift having a value in excess of \$25, but not in excess of \$100, other than a gift that the donor knows will be accepted on behalf of a governmental entity or charitable organization, must file a report on the last day of each calendar quarter for the previous calendar quarter in which a reportable gift is made. The report shall be filed with the Commission on Ethics, except with respect to gifts to reporting individuals of the legislative branch, in which case the report shall be filed with the Office of Legislative Services. The report must contain a description of each gift, the monetary value thereof, the name and address of the person making such gift, the name and address of the recipient of the gift, and the date such gift is given. In addition, if a gift is made which requires the filing of a report under this subsection, the donor must notify the intended recipient at the time the gift is made that the donor, or another on his or her behalf, will report the gift under this subsection. Under this paragraph, a gift need not be reported by more than one person or entity.

Section 13. Section 112.31485, Florida Statutes, is created to read:

112.31485 Prohibition on gifts involving political committees.—

(1)(a) For purposes of this section, the term “gift” means any purchase, payment, distribution, loan, advance, transfer of funds, or disbursement of money or anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to chapter 106.

(b) For purposes of this section, the term “immediate family” means any parent, spouse, child, or sibling.

(2)(a) A reporting individual or procurement employee or a member of his or her immediate family is prohibited from soliciting or knowingly accepting, directly or indirectly, any gift from a political committee.

(b) A political committee is prohibited from giving, directly or indirectly, any gift to a reporting individual or procurement employee or a member of his or her immediate family.

(3) Any person who violates this section is subject to a civil penalty equal to three times the amount of the gift. Such penalty is in addition to the penalties provided in s. 112.317 and shall be paid to the General Revenue Fund of the state. A reporting individual or procurement employee or a member of his or her immediate family who violates this section is personally liable for payment of the treble penalty. Any agent or person acting on behalf of a political committee who gives a prohibited gift is personally liable for payment of the treble penalty.

Section 14. Paragraph (e) of subsection (1) of section 112.3149, Florida Statutes, is amended, and paragraph (f) is added to that subsection, and subsections (3) and (4) of that section are amended, to read:

112.3149 Solicitation and disclosure of honoraria.—

(1) As used in this section:

(e) “Procurement employee” means any employee of an officer, department, board, commission, ~~or~~ council, or agency of the executive branch or judicial branch of state government who *has participated in the preceding 12 months* ~~participates~~ through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or com-

modities as defined in s. 287.012, if the cost of such services or commodities exceeds \$10,000 ~~\$1,000~~ in any fiscal year.

(f) "Vendor" means a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services.

(3) A reporting individual or procurement employee is prohibited from knowingly accepting an honorarium from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, from a vendor doing business with the reporting individual's or procurement employee's agency, from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or from the employer, principal, partner, or firm of such a lobbyist.

(4) A political committee ~~or committee of continuous existence~~, as defined in s. 106.011, a vendor doing business with the reporting individual's or procurement employee's agency, a lobbyist who lobbies a reporting individual's or procurement employee's agency, or the employer, principal, partner, or firm of such a lobbyist is prohibited from giving an honorarium to a reporting individual or procurement employee.

Section 15. Section 112.317, Florida Statutes, is amended to read:

112.317 Penalties.—

(1) ~~Any violation of any provision of this part, including, but not limited to, any failure to file any disclosures required by this part or violation of any standard of conduct imposed by this part, or any violation of any provision of s. 8, Art. II of the State Constitution, in addition to any criminal penalty or other civil penalty involved, shall, under applicable constitutional and statutory procedures, constitutes constitute~~ grounds for, and may be punished by, one or more of the following:

- (a) In the case of a public officer:
 1. Impeachment.
 2. Removal from office.
 3. Suspension from office.
 4. Public censure and reprimand.
 5. Forfeiture of no more than one-third of his or her salary per month for no more than 12 months.
 6. A civil penalty not to exceed \$10,000.
 7. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency of which the public officer was a member or to the General Revenue Fund.
- (b) In the case of an employee or a person designated as a public officer by this part who otherwise would be deemed to be an employee:
 1. Dismissal from employment.
 2. Suspension from employment for not more than 90 days without pay.
 3. Demotion.
 4. Reduction in his or her salary level.
 5. Forfeiture of no more than one-third salary per month for no more than 12 months.
 6. A civil penalty not to exceed \$10,000.
 7. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency by which the public employee was employed, or of which the officer was deemed to be an employee, or to the General Revenue Fund.
 8. Public censure and reprimand.

(c) In the case of a candidate who violates ~~the provisions of~~ this part or s. 8(a) and (i), Art. II of the State Constitution:

1. Disqualification from being on the ballot.
2. Public censure.
3. Reprimand.
4. A civil penalty not to exceed \$10,000.

(d) In the case of a former public officer or employee who has violated a provision applicable to former officers or employees or whose violation occurred before the officer's or employee's leaving public office or employment:

1. Public censure and reprimand.
2. A civil penalty not to exceed \$10,000.
3. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency of the public officer or employee or to the General Revenue Fund.

(e) In the case of a person who is subject to the standards of this part, other than a lobbyist or lobbying firm under s. 112.3215 for a violation of s. 112.3215, but who is not a public officer or employee:

1. Public censure and reprimand.
2. A civil penalty not to exceed \$10,000.
3. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency of the person or to the General Revenue Fund.

(2) In any case in which the commission finds a violation of this part or of s. 8, Art. II of the State Constitution and the proper disciplinary official or body under s. 112.324 imposes a civil penalty or restitution penalty, the Attorney General shall bring a civil action to recover such penalty. No defense may be raised in the civil action to enforce the civil penalty or order of restitution that could have been raised by judicial review of the administrative findings and recommendations of the commission by certiorari to the district court of appeal. The Attorney General shall collect any costs, attorney's fees, expert witness fees, or other costs of collection incurred in bringing the action.

(3) The penalties prescribed in this part shall not be construed to limit or to conflict with:

- (a) The power of either house of the Legislature to discipline its own members or impeach a public officer.
- (b) The power of agencies to discipline officers or employees.
- (4) Any violation of this part or of s. 8, Art. II of the State Constitution by a public officer ~~constitutes shall constitute~~ malfeasance, misfeasance, or neglect of duty in office within the meaning of s. 7, Art. IV of the State Constitution.

(5) By order of the Governor, upon recommendation of the commission, any elected municipal officer who violates ~~any provision of~~ this part or of s. 8, Art. II of the State Constitution may be suspended from office and the office filled by appointment for the period of suspension. The suspended officer may at any time before removal be reinstated by the Governor. The Senate may, in proceedings prescribed by law, remove from office, or reinstate, the suspended official, and for such purpose the Senate may be convened in special session by its President or by a majority of its membership.

(6) In any case in which the commission finds probable cause to believe that a complainant has committed perjury in regard to any document filed with, or any testimony given before, the commission, it shall refer such evidence to the appropriate law enforcement agency for prosecution and taxation of costs.

(7) In any case in which the commission determines that a person has filed a complaint against a public officer or employee with a malicious intent to injure the reputation of such officer or employee by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this part, the complainant shall be liable for costs plus reasonable ~~attorney~~ ~~attorney's~~ fees incurred in the defense of the person complained against, including the costs and reasonable ~~attorney~~ ~~attorney's~~ fees incurred in proving entitlement to and the amount of costs and fees. If the complainant fails to pay such costs and fees voluntarily within 30 days following such finding by the commission, the commission shall forward such information to the Department of Legal Affairs, which shall bring a civil action in a court of competent jurisdiction to recover the amount of such costs and fees awarded by the commission.

Section 16. Paragraphs (a) and (c) of subsection (8) and subsection (10) of section 112.3215, Florida Statutes, are amended, present subsections (11) through (14) are renumbered as (12) through (15), respectively, and a new subsection (11) is added to that section to read:

112.3215 Lobbying before the executive branch or the Constitution Revision Commission; registration and reporting; investigation by commission.—

(8)(a) The commission shall investigate every sworn complaint that is filed with it alleging that a person covered by this section has failed to register, has failed to submit a compensation report, *has made a prohibited expenditure*, or has knowingly submitted false information in any report or registration required in this section.

(c) The commission shall investigate any lobbying firm, *lobbyist*, *principal*, agency, officer, or employee upon receipt of information from a sworn complaint or from a random audit of lobbying reports indicating a possible violation other than a late-filed report.

(10) If the Governor and Cabinet finds that a violation occurred, it may reprimand the violator, censure the violator, or prohibit the violator from lobbying all agencies for a period not to exceed 2 years. If the violator is a lobbying firm, *lobbyist*, or *principal*, the Governor and Cabinet may also assess a fine of not more than \$5,000 to be deposited in the Executive Branch Lobby Registration Trust Fund.

(11) *Any person who is required to be registered or to provide information under this section or under rules adopted pursuant to this section and who knowingly fails to disclose any material fact that is required by this section or by rules adopted pursuant to this section, or who knowingly provides false information on any report required by this section or by rules adopted pursuant to this section, commits a non-criminal infraction, punishable by a fine not to exceed \$5,000. Such penalty is in addition to any other penalty assessed by the Governor and Cabinet pursuant to subsection (10).*

Section 17. Section 112.324, Florida Statutes, is amended to read:

112.324 Procedures on complaints of violations *and referrals*; public records and meeting exemptions.—

~~(1) Upon a written complaint executed on a form prescribed by the commission and signed under oath or affirmation by any person, the commission shall investigate an any alleged violation of this part or any other alleged breach of the public trust within the jurisdiction of the commission as provided in s. 8(f), Art. II of the State Constitution: in accordance with procedures set forth herein.~~

~~(a) Upon a written complaint executed on a form prescribed by the commission and signed under oath of affirmation by any person; or~~

~~(b) Upon receipt of a written referral of a possible violation of this part or other possible breach of the public trust from the Governor, the Department of Law Enforcement, a state attorney, or a United States Attorney which at least six members of the commission determine is sufficient to indicate a violation of this part or any other breach of the public trust.~~

Within 5 days after receipt of a complaint by the commission or a determination by at least six members of the commission that the referral received is deemed sufficient, a copy shall be transmitted to the alleged violator.

(2)(a) The complaint and records relating to the complaint or to any preliminary investigation held by the commission or its agents, by a Commission on Ethics and Public Trust established by any county defined in s. 125.011(1) or by any municipality defined in s. 165.031, or by any county or municipality that has established a local investigatory process to enforce more stringent standards of conduct and disclosure requirements as provided in s. 112.326 are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) Any proceeding conducted by the commission, a Commission on Ethics and Public Trust, or a county or municipality that has established such local investigatory process, pursuant to a complaint or preliminary investigation, is exempt from the provisions of s. 286.011, s. 24(b), Art. I of the State Constitution, and s. 120.525.

(c) The exemptions in paragraphs (a) and (b) apply until the complaint is dismissed as legally insufficient, until the alleged violator requests in writing that such records and proceedings be made public, or until the commission, a Commission on Ethics and Public Trust, or a county or municipality that has established such local investigatory process determines, based on such investigation, whether probable cause exists to believe that a violation has occurred. ~~In no event shall~~ A complaint or referral under this part against a candidate in any general, special, or primary election *may not be filed nor may* ~~or~~ any intention of filing such a complaint or referral be disclosed on the day of any such election or within the 30 ~~5~~ days immediately preceding the date of the election, *unless the complaint or referral is based upon personal information or information other than hearsay.*

(d) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

(3) A preliminary investigation shall be undertaken by the commission of each legally sufficient complaint or referral over which the commission has jurisdiction to determine whether there is probable cause to believe that a violation has occurred. If, upon completion of the preliminary investigation, the commission finds no probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, the commission shall dismiss the complaint or referral with the issuance of a public report to the complainant and the alleged violator, stating with particularity its reasons for dismissal ~~of the complaint~~. At that time, the complaint or referral and all materials relating to the complaint or referral shall become a matter of public record. If the commission finds from the preliminary investigation probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, it shall so notify the complainant and the alleged violator in writing. Such notification and all documents made or received in the disposition of the complaint or referral shall then become public records. Upon request submitted to the commission in writing, any person who the commission finds probable cause to believe has violated any provision of this part or has committed any other breach of the public trust shall be entitled to a public hearing. Such person shall be deemed to have waived the right to a public hearing if the request is not received within 14 days following the mailing of the probable cause notification required by this subsection. However, the commission may on its own motion, require a public hearing, may conduct such further investigation as it deems necessary, and may enter into such stipulations and settlements as it finds to be just and in the best interest of the state. The commission is without jurisdiction to, and no respondent may voluntarily or involuntarily, enter into a stipulation or settlement which imposes any penalty, including, but not limited to, a sanction or admonition or any other penalty contained in s. 112.317. Penalties shall be imposed only by the appropriate disciplinary authority as designated in this section.

(4) If, in cases pertaining to members of the Legislature, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution, the commission shall forward a copy of the complaint or referral and its findings by certified mail to the President of the Senate or the Speaker of the House of Representatives, whichever is applicable, who shall refer the complaint or referral to the appropriate committee for investigation and action which shall be governed by the rules of its respective house. ~~It is shall be~~ the duty of the committee to report its final action upon the ~~matter~~ ~~complaint~~ to the commission within 90 days of the date of transmittal to the respective

house. Upon request of the committee, the commission shall submit a recommendation as to what penalty, if any, should be imposed. In the case of a member of the Legislature, the house in which the member serves ~~has shall have~~ the power to invoke the penalty provisions of this part.

(5) If, in cases ~~pertaining to complaints~~ against impeachable officers, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution, and the commission finds that the violation may constitute grounds for impeachment, the commission shall forward a copy of the complaint *or referral* and its findings by certified mail to the Speaker of the House of Representatives, who shall refer the complaint *or referral* to the appropriate committee for investigation and action which shall be governed by the rules of the House of Representatives. It ~~is shall be~~ the duty of the committee to report its final action upon the ~~matter~~ *complaint* to the commission within 90 days of the date of transmittal.

(6) If the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution by an impeachable officer other than the Governor, and the commission recommends public censure and reprimand, forfeiture of a portion of the officer's salary, a civil penalty, or restitution, the commission shall report its findings and recommendation of disciplinary action to the Governor, who ~~has shall have~~ the power to invoke the penalty provisions of this part.

(7) If the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution by the Governor, and the commission recommends public censure and reprimand, forfeiture of a portion of the Governor's salary, a civil penalty, or restitution, the commission shall report its findings and recommendation of disciplinary action to the Attorney General, who shall have the power to invoke the penalty provisions of this part.

(8) If, in cases ~~pertaining to complaints~~ other than complaints *or referrals* against impeachable officers or members of the Legislature, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of s. 8, Art. II of the State Constitution, it ~~is shall be~~ the duty of the commission to report its findings and recommend appropriate action to the proper disciplinary official or body as follows, and such official or body ~~has shall have~~ the power to invoke the penalty provisions of this part, including the power to order the appropriate elections official to remove a candidate from the ballot for a violation of s. 112.3145 or s. 8(a) and (i), Art. II of the State Constitution:

(a) The President of the Senate and the Speaker of the House of Representatives, jointly, in any case concerning the Public Counsel, members of the Public Service Commission, members of the Public Service Commission Nominating Council, the Auditor General, or the director of the Office of Program Policy Analysis and Government Accountability.

(b) The Supreme Court, in any case concerning an employee of the judicial branch.

(c) The President of the Senate, in any case concerning an employee of the Senate; the Speaker of the House of Representatives, in any case concerning an employee of the House of Representatives; or the President and the Speaker, jointly, in any case concerning an employee of a committee of the Legislature whose members are appointed solely by the President and the Speaker or in any case concerning an employee of the Public Counsel, Public Service Commission, Auditor General, or Office of Program Policy Analysis and Government Accountability.

(d) Except as otherwise provided by this part, the Governor, in the case of any other public officer, public employee, former public officer or public employee, candidate or former candidate, or person who is not a public officer or employee, other than lobbyists and lobbying firms under s. 112.3215 for violations of s. 112.3215.

(e) The President of the Senate or the Speaker of the House of Representatives, whichever is applicable, in any case concerning a former member of the Legislature who has violated a provision applicable to former members or whose violation occurred while a member of the Legislature.

(9) In addition to reporting its findings to the proper disciplinary body or official, the commission shall report these findings to the state attorney or any other appropriate official or agency having authority to initiate prosecution when violation of criminal law is indicated.

(10) Notwithstanding the foregoing procedures of this section, a sworn complaint against any member or employee of the Commission on Ethics for violation of this part or of s. 8, Art. II of the State Constitution shall be filed with the President of the Senate and the Speaker of the House of Representatives. Each presiding officer shall, after determining that there are sufficient grounds for review, appoint three members of their respective bodies to a special joint committee who shall investigate the complaint. The members shall elect a chair from among their number. If the special joint committee finds insufficient evidence to establish probable cause to believe a violation of this part or of s. 8, Art. II of the State Constitution has occurred, it shall dismiss the complaint. If, upon completion of its preliminary investigation, the committee finds sufficient evidence to establish probable cause to believe a violation has occurred, the chair thereof shall transmit such findings to the Governor who shall convene a meeting of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court to take such final action on the complaint as they shall deem appropriate, consistent with the penalty provisions of this part. Upon request of a majority of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court, the special joint committee shall submit a recommendation as to what penalty, if any, should be imposed.

(11)(a) *Notwithstanding subsections (1)-(8), the commission may dismiss any complaint or referral at any stage of disposition if it determines that the violation that is alleged or has occurred is a de minimis violation attributable to inadvertent or unintentional error. In determining whether a violation was de minimis, the commission shall consider whether the interests of the public were protected despite the violation. This subsection does not apply to complaints or referrals pursuant to ss. 112.3144 and 112.3145.*

(b) *For the purposes of this subsection, a de minimis violation is any violation that is unintentional and not material in nature.*

~~(12)(11)~~ Notwithstanding the provisions of subsections (1)-(8), the commission may, at its discretion, dismiss any complaint *or referral* at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the commission shall issue a public report stating with particularity its reasons for the dismissal.

Section 18. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, subsection (1) of section 120.665, Florida Statutes, is reenacted to read:

120.665 Disqualification of agency personnel.—

(1) Notwithstanding the provisions of s. 112.3143, any individual serving alone or with others as an agency head may be disqualified from serving in an agency proceeding for bias, prejudice, or interest when any party to the agency proceeding shows just cause by a suggestion filed within a reasonable period of time prior to the agency proceeding. If the disqualified individual was appointed, the appointing power may appoint a substitute to serve in the matter from which the individual is disqualified. If the individual is an elected official, the Governor may appoint a substitute to serve in the matter from which the individual is disqualified. However, if a quorum remains after the individual is disqualified, it shall not be necessary to appoint a substitute.

Section 19. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, section 286.012, Florida Statutes, is reenacted to read:

286.012 Voting requirement at meetings of governmental bodies.— No member of any state, county, or municipal governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s.

112.311, s. 112.313, or s. 112.3143. In such cases, said member shall comply with the disclosure requirements of s. 112.3143.

Section 20. For the purpose of incorporating the amendment made by this act to section 112.324, Florida Statutes, in a reference thereto, section 287.175, Florida Statutes, is reenacted to read:

287.175 Penalties.—A violation of this part or a rule adopted hereunder, pursuant to applicable constitutional and statutory procedures, constitutes misuse of public position as defined in s. 112.313(6), and is punishable as provided in s. 112.317. The Chief Financial Officer shall report incidents of suspected misuse to the Commission on Ethics, and the commission shall investigate possible violations of this part or rules adopted hereunder when reported by the Chief Financial Officer, notwithstanding the provisions of s. 112.324. Any violation of this part or a rule adopted hereunder shall be presumed to have been committed with wrongful intent, but such presumption is rebuttable. Nothing in this section is intended to deny rights provided to career service employees by s. 110.227.

Section 21. Paragraph (c) of subsection (1) of section 288.901, Florida Statutes, is amended to read:

288.901 Enterprise Florida, Inc.—

(1) CREATION.—

(c) The Legislature determines that it is in the public interest for the members of Enterprise Florida, Inc., board of directors to be subject to the requirements of ss. 112.3135, ~~112.3143(2)~~ ~~112.3143~~, and 112.313, excluding s. 112.313(2), notwithstanding the fact that the board members are not public officers or employees. For purposes of those sections, the board members shall be considered to be public officers or employees. The exemption set forth in s. 112.313(12) for advisory boards applies to the members of Enterprise Florida, Inc., board of directors. Further, each member of the board of directors who is not otherwise required to file financial disclosures pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, shall file disclosure of financial interests pursuant to s. 112.3145.

Section 22. Subsection (1) of section 445.007, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, and subsection (11) of that section is amended, to read:

445.007 Regional workforce boards.—

(1) One regional workforce board shall be appointed in each designated service delivery area and shall serve as the local workforce investment board pursuant to Pub. L. No. 105-220. The membership of the board shall be consistent with Pub. L. No. 105-220, Title I, s. 117(b) but may not exceed the minimum membership required in Pub. L. No. 105-220, Title I, s. 117(b)(2)(A) and in this subsection. Upon approval by the Governor, the chief elected official may appoint additional members above the limit set by this subsection. If a public education or training provider is represented on the board, a representative of a private nonprofit provider and a representative of a private for-profit provider must also be appointed to the board. The board shall include one non-voting representative from a military installation if a military installation is located within the region and the appropriate military command or organization authorizes such representation. It is the intent of the Legislature that membership of a regional workforce board include persons who are current or former recipients of welfare transition assistance as defined in s. 445.002(2) or workforce services as provided in s. 445.009(1) or that such persons be included as ex officio members of the board or of committees organized by the board. The importance of minority and gender representation shall be considered when making appointments to the board. The board, its committees, subcommittees, and subdivisions, and other units of the workforce system, including units that may consist in whole or in part of local governmental units, may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. Regional workforce boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution. If the regional workforce board enters into a contract with an organization or individual represented on the board of directors, the contract must be approved by a two-thirds vote of

the board, a quorum having been established, and the board member who could benefit financially from the transaction must abstain from voting on the contract. A board member must disclose any such conflict in a manner that is consistent with the procedures outlined in s. 112.3143. Each member of a regional workforce board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145. The executive director or designated person responsible for the operational and administrative functions of the regional workforce board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145.

(11) To increase transparency and accountability, a regional workforce board must comply with the requirements of this section before contracting with a member of the board or a relative, as defined in s. ~~112.3143(1)(c)~~ ~~112.3143(1)(b)~~, of a board member or of an employee of the board. Such contracts may not be executed before or without the approval of Workforce Florida, Inc. Such contracts, as well as documentation demonstrating adherence to this section as specified by Workforce Florida, Inc., must be submitted to the Department of Economic Opportunity for review and recommendation according to criteria to be determined by Workforce Florida, Inc. Such a contract must be approved by a two-thirds vote of the board, a quorum having been established; all conflicts of interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under \$25,000 between a regional workforce board and a member of that board or between a relative, as defined in s. ~~112.3143(1)(c)~~ ~~112.3143(1)(b)~~, of a board member or of an employee of the board is not required to have the prior approval of Workforce Florida, Inc., but must be approved by a two-thirds vote of the board, a quorum having been established, and must be reported to the Department of Economic Opportunity and Workforce Florida, Inc., within 30 days after approval. If a contract cannot be approved by Workforce Florida, Inc., a review of the decision to disapprove the contract may be requested by the regional workforce board or other parties to the disapproved contract.

Section 23. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, paragraph (m) of subsection (5) of section 627.311, Florida Statutes, is reenacted to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(5)

(m) Senior managers and officers, as defined in the plan of operation, and members of the board of governors are subject to the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145, 112.316, and 112.317. Senior managers, officers, and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the plan or his or her designee shall notify each newly appointed and existing appointed member of the board of governors, senior manager, and officer of his or her duty to comply with the reporting requirements of s. 112.3145. At least quarterly, the executive director of the plan or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers, officers, and members of the board of governors who are subject to the public disclosure requirements under s. 112.3145. Notwithstanding s. 112.313, an employee, officer, owner, or director of an insurance agency, insurance company, or other insurance entity may be a member of the board of governors unless such employee, officer, owner, or director of an insurance agency, insurance company, other insurance entity, or an affiliate provides policy issuance, policy administration, underwriting, claims handling, or payroll audit services. Notwithstanding s. 112.3143, such board member may not participate in or vote on a matter if the insurance agency, insurance company, or other insurance entity would obtain a special or unique benefit that would not apply to other similarly situated insurance entities.

Section 24. For the purpose of incorporating the amendment made to this act to section 112.3143, Florida Statutes, in a reference thereto, paragraph (d) of subsection (6) of section 627.351, Florida Statutes, is reenacted to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to background checks as a prerequisite for employment. The office shall conduct the background checks pursuant to ss. 624.34, 624.404(3), and 628.261.

2. On or before July 1 of each year, employees of the corporation must sign and submit a statement attesting that they do not have a conflict of interest, as defined in part III of chapter 112. As a condition of employment, all prospective employees must sign and submit to the corporation a conflict-of-interest statement.

3. Senior managers and members of the board of governors are subject to part III of chapter 112, including, but not limited to, the code of ethics and public disclosure and reporting of financial interests, pursuant to s. 112.3145. Notwithstanding s. 112.3143(2), a board member may not vote on any measure that would inure to his or her special private gain or loss; that he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312; or that he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Before the vote is taken, such member shall publicly state to the assembly the nature of his or her interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. Senior managers and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the corporation or his or her designee shall notify each existing and newly appointed member of the board of governors and senior managers of their duty to comply with the reporting requirements of part III of chapter 112. At least quarterly, the executive director or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers and members of the board of governors who are subject to the public disclosure requirements under s. 112.3145.

4. Notwithstanding s. 112.3148 or s. 112.3149, or any other provision of law, an employee or board member may not knowingly accept, directly or indirectly, any gift or expenditure from a person or entity, or an employee or representative of such person or entity, which has a contractual relationship with the corporation or who is under consideration for a contract. An employee or board member who fails to comply with subparagraph 3. or this subparagraph is subject to penalties provided under ss. 112.317 and 112.3173.

5. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from representing another person or entity before the corporation for 2 years after retirement or termination of employment from the corporation.

6. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from having any employment or contractual relationship for 2 years with an insurer that has entered into a take-out bonus agreement with the corporation.

Section 25. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising the definitions of “business entity” and “gift”; creating s. 112.3125, F.S.; defining the term “public officer”; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; prohibiting a former legislator from acting as a lobbyist before an executive branch agency, agency official, or employee for a specified period following vacation of office; providing definitions; creating s. 112.3142, F.S.; defining the term “constitutional officers”; requiring constitutional officers to complete annual ethics training; specifying requirements for

ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; providing circumstances under which the commission must determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for “electronic filing system”; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission’s proposal; amending s. 112.3145, F.S.; revising the definitions of “local officer” and “specified state employee”; revising procedures for the filing of a statement of financial interests with a candidate’s qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; providing circumstances under which the commission must determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign de-

pository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee; prohibiting a political committee from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; defining the term "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; authorizing the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; conforming a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; conforming cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

House Amendment 1A (138921)—Remove lines 5-6 and insert:

Section 1. Subsection (5) and paragraph (b) of subsection (12) of section 112.312, Florida Statutes, are amended to read:

On motion by Senator Latvala, further consideration of **CS for SB 2**, with pending **House Amendments 1 (005347)** and **1A (138921)**, was deferred.

RECESS

By direction of the President, the Senate recessed at 2:22 p.m. to reconvene at 3:00 p.m.

CALL TO ORDER

The Senate was called to order by President Gaetz at 2:39 p.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Senate resumed consideration of—

CS for SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising definitions; creating s. 112.3125, F.S.; defining the term "public officer"; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; creating s. 112.3142, F.S.; defining the term "constitutional officers"; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for "principal" and "special private gain or loss"; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, in-

consequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for “electronic filing system”; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission’s proposal; amending s. 112.3145, F.S.; revising the definitions of “local officer” and “specified state employee”; revising procedures for the filing of a statement of financial interests with a candidate’s qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of “procurement employee”; creating a definition for “vendor”; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for “gift” and “immediate family”; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a

violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of “procurement employee”; creating a definition for “vendor”; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; correcting a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

—which was previously considered this day.

On motion by Senator Latvala, the Senate concurred in pending **House Amendment 1 (005347)** and **House Amendment 1A (138921)**.

CS for SB 2 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	
Flores	Negron	

Nays—None

Vote after roll call:

Yea—Detert, Legg

BILLS ON THIRD READING

CS for HB 7013—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the

Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be re-issued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county's election management system by the end of the early voting period; prohibiting disclosure of those results providing an effective date.

—as amended April 16 was read the third time by title.

RECONSIDERATION OF AMENDMENT

On motion by Senator Latvala, the Senate reconsidered the vote by which engrossed **Amendment 1 (166182)** was adopted April 16.

Senator Latvala moved the following amendments to **Amendment 1** which were adopted by two-thirds vote:

Amendment 1A (439432) (with title amendment)—Delete lines 26-174 and insert:

Section 3. Section 98.025, Florida Statutes, is created to read:

98.025 *Supervisors of elections; noncompliant status.*—

(1) *The Secretary of State may place a supervisor of elections in noncompliant status whenever that supervisor does not perform one or more of the following:*

- (a) *Timely file any report required by the Florida Election Code.*
- (b) *Ensure that ballots are distributed, collected, counted, and reported in accordance with applicable law.*
- (c) *Safeguard and account for voted ballots.*
- (d) *Follow any statute that imposes a duty or responsibility on a supervisor of elections.*
- (e) *Follow rules adopted by the Department of State concerning the implementation of any provision of the Florida Election Code.*

(2) *The Secretary of State shall submit the written decision to place or remove a supervisor of elections in noncompliant status to the affected supervisor and provide a copy of the decision to the Governor and the chair of the board of county commissioners in the supervisor's county.*

(3) *While a supervisor of elections is in noncompliant status, the supervisor is not entitled to receive the special qualification salary available pursuant to s. 145.09. When removed from noncompliant status, if otherwise eligible to receive the special qualification salary, the supervisor is entitled to a pro rata share of the special qualification salary based on the remaining period of the year.*

(4) *The Secretary of State may remove a supervisor from noncompliant status after 1 year of being placed in such status, provided that:*

- (a) *The supervisor has complied with any of the duties identified in subsection (1) while in a noncompliant status;*
- (b) *The supervisor has completed during each year while in noncompliant status a course of continuing education pursuant to s. 145.09 as prescribed by the Division of Elections; and*
- (c) *The supervisor has taken and received while in noncompliant status a grade of 90 percent or greater on a uniform statewide open-book examination testing the supervisor's knowledge of the Florida Election Code. The Florida State Association of Supervisors of Elections shall annually develop the examination, but the examination shall be approved and administered by the Division of Elections.*

(5) *If a supervisor has been in noncompliant status for 3 consecutive years, the Secretary of State shall provide written notice of such event to*

the Governor for consideration of exercising the Governor's authority to suspend the supervisor pursuant to s. 7, Art. IV of the State Constitution.

(6) *The decision of the Secretary of State to place a supervisor of elections in noncompliant status or remove a supervisor of elections from noncompliant status is exempt from the provisions of chapter 120.*

(7) *This section is in addition to, and not exclusive of, the authority of the Governor to suspend and remove a supervisor of elections pursuant to s. 7, Art. IV of the State Constitution.*

Section 4. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday ~~10~~ ¹² weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 5. Paragraphs (a) and (b) of subsection (2) of section 101.045, Florida Statutes, are amended to read:

101.045 Electors must be registered in precinct; provisions for change of residence or name.—

(2)(a) An elector who moves from the precinct in which the elector is registered ~~may be permitted to~~ vote in the precinct to which he or she has moved his or her legal residence, if the change of residence is within the same county ~~or the precinct to which the elector has moved his or her legal residence is within a county that uses an electronic database as a precinct register at the polling place~~, and the elector completes an affirmation in substantially the following form:

Change of Legal Residence of Registered Voter

Under penalties for false swearing, I, (Name of voter), swear (or affirm) that the former address of my legal residence was (Address of legal residence) in the municipality of, in County, Florida, and I was registered to vote in the precinct of County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at (Address of legal residence) in the Municipality of, in County, Florida, and am therefore eligible to vote in the precinct of County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

(Signature of voter whose address of legal residence has changed)

(b) Except for an active uniformed services voter or a member of his or her family ~~and except for an elector who has moved his or her legal residence to a precinct within a county that uses an electronic database as a precinct register at the polling place~~, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place ~~and must vote a provisional regular ballot; however, such elector is entitled to vote a provisional ballot.~~

And the title is amended as follows:

Delete lines 1118-1143 and insert: creating s. 98.025, F.S.; authorizing the Secretary of State to place a supervisor of elections in noncompliant status under specified conditions; requiring the secretary to submit a written decision of placing or removing a supervisor in noncompliant status with specified persons; providing that a supervisor in noncompliant status is not entitled to receive the special qualification salary; providing requirements to remove a supervisor from noncompliant status; requiring the secretary to provide written notice to the Governor if a supervisor has been in noncompliant status for 3 consecutive years; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.045, F.S.; authorizing an elector to vote at the polling place in the precinct to which he or she has moved if such county uses an electronic database as a precinct register; amending s. 101.161, F.S.; providing a

Amendment 1B (195116) (with title amendment)—Between lines 100 and 101 insert:

Section 5. Section 100.032, Florida Statutes, is created to read:

100.032 Election preparation report; general election.—Each supervisor of elections must submit a report to the board of county commissioners of the county in which he or she serves at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place. Each supervisor of elections shall also post such report on the supervisor of elections' official website.

And the title is amended as follows:

Delete line 1133 and insert: consecutive years; creating s. 100.032, F.S.; requiring each supervisor of elections to submit a report to his or her board of county commissioners at least 3 months before a general election; specifying the content of the report; requiring that such report be posted on the supervisor's website; amending s. 100.061, F.S.;

Senator Margolis moved the following amendment to Amendment 1 which was adopted by two-thirds vote:

Amendment 1C (352480) (with title amendment)—Between lines 174 and 175 insert:

Section 8. Present subsection (8) of section 101.151, Florida Statutes, is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

101.151 Specifications for ballots.—

(8) In counties subject to multi-language ballot requirements, the supervisor may petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots for each minority language required.

And the title is amended as follows:

Delete line 1143 and insert: any election; amending s. 101.151, F.S.; authorizing the supervisor to petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots; amending s. 101.161, F.S.; providing a

Senator Latvala moved the following amendments to Amendment 1 which were adopted by two-thirds vote:

Amendment 1D (814256)—Delete line 603 and insert: must be postmarked or dated no later than the date of

Amendment 1E (493370)—Delete line 883 and insert: election, your absentee ballot must be postmarked or

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment to Amendment 1 which was adopted by two-thirds vote:

Amendment 1F (222506)—Delete line 963 and insert: postmarked or dated no later than the date of the

Amendment 1 (166182) as further amended was adopted by two-thirds vote.

On motion by Senator Latvala, CS for HB 7013 as amended was passed and certified to the House. The vote on passage was:

Yeas—26

Table listing names of senators: Mr. President, Altman, Bean, Benacquisto, Bradley, Brandes, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Grimsley, Hays, Hukill, Latvala, Lee, Legg, Negron, Richter, Simmons, Simpson, Stargel, Thrasher.

Nays—13

Table listing names of senators: Abruzzo, Braynon, Clemens, Gibson, Joyner, Margolis, Montford, Ring, Sachs, Smith, Sobel, Soto, Thompson.

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Paula Dockery who was present in the chamber.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote CS for HB 841 and CS for SB 1842 were ordered immediately certified to the House.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 25.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 24, 2013: CS for SB 768, CS for CS for SB 1382, SB 1830, SB 1832, SB 1842, SB 1852, CS for CS for SB 528, CS for SB 1494, CS for SB 1496, CS for SB 962, CS for CS for SB 1442, SB 706, SB 736, CS for CS for SB 874, CS for CS for CS for SB 390, CS for CS for SB 580, CS for CS for SB 1410, SB 1424, CS for CS for SB 1472, CS for CS for SB 1160, CS for SB 1014, SM 1600, CS for CS for CS for SB 1734, SB 1848, SB 1850, CS for SB 418, CS for CS for SB 1128, CS for CS for SB 1210, CS for CS for SB 1392, SB 1800, CS for SB 1756.

Respectfully submitted, John Thrasher, Rules Chair, Lizbeth Benacquisto, Majority Leader, Christopher L. Smith, Minority Leader

The Committee on Education recommends a committee substitute for the following: SB 1052

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

The Committee on Education recommends a committee substitute for the following: SB 1164

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

The Committee on Rules recommends committee substitutes for the following: CS for SB 594; CS for SB 836; SB 1412

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Resolutions 1890-1892—Not Referenced

By Senator Bean—

SR 1894—A resolution recognizing the ballad “I Am Florida” as one of the official state songs of this state and as a companion piece to “The Swanee River (Old Folks at Home).”

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; and Banking and Insurance; and Senator Bean—

CS for CS for SB 594—A bill to be entitled An act relating to health care accreditation; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term “accrediting organizations” in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Rules; and Banking and Insurance; and Senator Simmons—

CS for CS for SB 836—A bill to be entitled An act relating to insurer solvency; creating s. 624.085, F.S.; providing definitions applicable to the Florida Insurance Code; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer’s annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; amending s. 625.121, F.S.; protecting material supporting an insurer’s annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company that a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to file annually by a specified date a registration statement; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing for sanctions for persons who violate s. 628.461, F.S., relating to the acquisition of controlling stock; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing contingent effective dates.

By the Committee on Education; and Senator Montford—

CS for SB 1052—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county school board to use the school surtax to purchase school buses and other needs; providing an effective date.

By the Committee on Education; and Senators Stargel and Bullard—

CS for SB 1164—A bill to be entitled An act relating to high school athletics; reenacting and amending s. 1002.20(17), F.S.; making technical changes; amending s. 1006.15, F.S.; revising criteria for student eligibility for participation in extracurricular activities; defining the term “public school”; authorizing certain students to participate in an extracurricular activity at another school subject to certain requirements; amending s. 1006.19, F.S.; providing requirements for an annual financial and compliance audit of an association that supervises interscholastic activities of public high schools; requiring that an association or corporation that supervises interscholastic activities of public high schools complete a report; specifying report requirements; requiring the report to be submitted to the Commissioner of Education and the Legislature annually; amending s. 1006.20, F.S.; providing that the designation of the Florida High School Athletic Association (FHSAA) as the governing nonprofit organization of athletics expires on a specified date; specifying that the FHSAA is subject to the provisions of chs. 119 and 286, F.S.; revising the criteria for bylaws, policies, or guidelines adopted by the FHSAA; requiring the FHSAA to complete a review by a specified date; requiring that the FHSAA submit a report to the Commissioner of Education, the Governor, and the Legislature; providing requirements for investigations and investigators; authorizing the assessment of fees to cover costs for certain proceedings; establishing notice requirements; providing procedures for student residence and transfer approvals; providing for hearings before the Division of Administrative Hearings (DOAH); authorizing DOAH to assess fees payable by the nonprevailing party to administer the hearings; providing that the burden is on the FHSAA to demonstrate by clear and convincing evidence that a student is ineligible to participate in a high school athletic competition; requiring that the FHSAA pay costs and attorney fees in certain circumstances; revising the composition of the board of directors of the FHSAA and terms of office; revising what constitutes a quorum of the board of directors; providing that the appointment of the executive director is subject to Senate confirmation; providing restrictions on the salary, per diem, and travel expenses of the FHSAA’s executive director; providing restrictions on the levy of dues and fees and the collection of contest receipts; providing authority to levy fines, penalties, and sanctions against schools and coaches; revising provisions relating to the FHSAA’s representative assembly; providing that members of the FHSAA’s public liaison advisory committee are entitled to reimbursement for per diem and travel expenses at the same rate as state employees; providing an effective date.

By the Committee on Rules; and Senator Richter—

CS for SB 1412—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise as to the facts at issue in a case under certain circumstances; providing that the elements necessary to allow a witness to testify as an expert witness are satisfied if the principles and methods on which such knowledge is based are generally accepted by the relevant expert community; providing for applicability; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert’s opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for SB 286, CS for SB 294, SB 338, CS for SB 444, and CS for CS for SB 674**, which he approved on April 24, 2013.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

EXECUTIVE ORDER NUMBER 08-228
(Executive Order of Suspension)

WHEREAS, Robert Anthony Parker a/k/a Tony Parker, is presently serving as a County Commissioner for Levy County, Florida, and

WHEREAS, on October 20, 2008, the Grand Jury for the United States District Court, Northern District of Florida, issued an Indictment charging Robert Anthony Parker with one count of conspiracy to commit bribery in violation of Title 18, United States Code, Section 666(a)(1)(B) and Title 18, United States Code, Section 371; and with one count of bribery in violation of Title 18, United States Code, Section 666(a)(1)(B) and 2; and

WHEREAS, violations of Title 18, United States Code, Section 666(a)(1)(B) and Title 18, United States Code, Section 371; Title 18, United States Code, Section 666(a)(1)(B) and 2 constitute felonies; and

WHEREAS, it is in the best interest of the residents of the County of Levy, and the citizens of the State of Florida that Robert Anthony Parker be immediately suspended from the public office which he now holds, upon the grounds set forth in this executive order;

NOW, THEREFORE, I, Charlie Crist, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, find as follows:

- A. Robert Anthony Parker is, and at all times material was, County Commissioner for the County of Levy, Florida.
- B. The office of County Commissioner for the County of Levy, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.
- C. The attached Indictment alleges that Robert Anthony Parker committed acts in violation of the Laws of the United States. This suspension is predicated upon the attached Indictment which is incorporated as if fully set forth in this executive order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Robert Anthony Parker is hereby suspended from the public office which he now holds, to wit: County Commissioner for the County of Levy, Florida.

Section 2. Robert Anthony Parker is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today hereof, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 5th day of November, 2008.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

Previously referred to the Committee on Ethics and Elections January 5, 2009.

The Honorable Don Gaetz
President of the Senate

April 24, 2013

RE: Suspension of PARKER, Robert
Member, Board of County Commissioners
Levy County, Florida

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Robert Parker.

By Executive Order Number 08-228 filed with the Secretary of State on November 5, 2008, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Charlie Crist, Governor, suspended Robert Parker as a member of the Board of County Commissioners, Levy County, Florida, alleging the commission of a federal felony. Mr. Parker was charged with Conspiracy to Commit Bribery (18 U.S.C. 666) and Bribery (18 U.S.C. 666). On November 6, 2012, a successor was elected to a new term of office in his former seat.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2013 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Jack Latvala, Chair

EXECUTIVE ORDER NUMBER 08-229
(Executive Order of Suspension)

WHEREAS, William Samuel Yearty a/k/a Sammy Yearty is presently serving as a County Commissioner for Levy County, Florida, and

WHEREAS, on October 20, 2008, the Grand Jury for the United States District Court, Northern District of Florida, issued an Indictment charging William Samuel Yearty with one count of conspiracy to commit bribery in violation of Title 18, United States Code, Section 666(a)(1)(B) and Title 18, United States Code, Section 371; with one count of bribery in violation of Title 18, United States Code, Section 666(a)(1)(B) and 2; and with one count of knowingly making a false or fraudulent statement in violation of Title 18, United States Code, Section 1001(a); and

WHEREAS, violations of Title 18, United States Code, Section 666(a)(1)(B) and Title 18, United States Code, Section 371; Title 18, United States Code, Section 666(a)(1)(B) and 2; and Title 18, United States Code, Section 1001(a) constitute felonies; and

WHEREAS, it is in the best interest of the residents of the County of Levy, and the citizens of the State of Florida that William Samuel Yearty be immediately suspended from the public office which he now holds, upon the grounds set forth in this executive order;

NOW, THEREFORE, I, Charlie Crist, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, find as follows:

- A. William Samuel Yearty is, and at all times material hereto was, County Commissioner for the County of Levy, Florida.
- B. The office of County Commissioner for the County of Levy, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.
- C. The attached Indictment alleges that William Samuel Yearty committed acts in violation of the laws of the United States. This suspension is predicated upon the attached Indictment which is incorporated as if fully set forth in this executive order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. William Samuel Yearty is hereby suspended from the public office which he now holds, to wit: County Commissioner for the County of Levy, Florida.

Section 2. William Samuel Yearty is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 5th day of November, 2008.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

**Previously referred to the Committee on Ethics and Elections
January 5, 2009.**

The Honorable Don Gaetz
President of the Senate

April 24, 2013

RE: Suspension of YEARTY, William
Member, Board of County Commissioners
Levy County, Florida

The Committee on Ethics and Elections submits this final report on the matter of the suspension of William Yearty.

By Executive Order Number 08-229 filed with the Secretary of State on November 5, 2008, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Charlie Crist, Governor, suspended William Yearty as a member of the Board of County Commissioners, Levy County, Florida, alleging the commission of a federal felony. Mr. Yearty was charged with Conspiracy to Commit Bribery (18 U.S.C. 666); Bribery (18 U.S.C. 666); and Knowingly Making a False Statement (18 U.S.C. 1001). On November 6, 2012, a successor was elected to a new term of office in his former seat.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2013 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Jack Latvala, Chair

EXECUTIVE ORDER NUMBER 09-264
(Executive Order of Suspension)

WHEREAS, Scott Rothstein, on August 25, 2008 was appointed to serve as a Commissioner for the fourth Appellate District Judicial Nominating Commission; and

WHEREAS, my administration has been monitoring the federal investigation by the United States Attorney's offices concerning Mr. Rothstein's business and financial affairs. Mr. Rothstein has agreed to permanent disbarment from the Florida Bar due to allegations of disciplinary violations of the Rules Regulating the Florida Bar, including the misappropriation of funds from trust accounts; and

WHEREAS, Florida Statute 43.291(5) provides that the Governor may suspend, for cause, member of the judicial nominating commission, consistent with Article IV, Section 7, Florida Constitution which provides that the Governor may suspend from office any state officer for "malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony [;]" and

WHEREAS, Mr. Rothstein's agreement to permanent disbarment from the Florida Bar due to allegations of Rules Regulating the Florida Bar, including the misappropriation of funds from trust accounts, constitutes malfeasance or misfeasance in relation to his duties as a Commissioner by reflecting discredit upon the judicial selection process; and

WHEREAS, it is in the best interest of the residents of Fourth Judicial District, and the citizens of the State of Florida, that Scott Rothstein be immediately suspended from the public office, to which he has been appointed, upon the grounds set forth in this executive order

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to the Article IV, Section 7, Florida Constitution, find as follows:

A. Scott Rothstein was appointed to serve as Commissioner for the Fourth Appellate District Judicial Nominating Commission.

B. The Commissioner for the Fourth Appellate District Judicial Nominating Commission is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. This suspension is predicated upon Mr. Rothstein's agreement to permanent disbarment from the Florida Bar due to allegations of disciplinary violations of the Rules Regulating the Florida Bar, including the misappropriation of funds from trust accounts, and which constitutes malfeasance or misfeasance in relation to his duties as a Commissioner by reflecting discredit upon the judicial selection process.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Scott Rothstein is suspended from the public office, to which he has been elected, to wit: Commissioner for the Fourth Appellate District Judicial Nominating Commission.

Section 2. Scott Rothstein is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.

Section 3. Pursuant to Article IV, Section 7, Florida Constitution, I hereby appoint William Berger, Esq. to fill this public office for the period of the suspension.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 24th day of November, 2009.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

**Previously referred to the Committee on Ethics and Elections
December 3, 2009.**

The Honorable Don Gaetz
President of the Senate

April 24, 2013

RE: Suspension of ROTHSTEIN, Scott
Member, Judicial Nominating Commission
Fourth District Court of Appeal

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Scott Rothstein, member, Judicial Nominating Commission, Fourth District Court of Appeal.

By Executive Order Number 09-264 filed with the Secretary of State on November 29, 2009, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Charlie Crist, Governor, suspended Scott Rothstein as a member of the Judicial Nominating Commission for the Fourth District Court of Appeal, alleging malfeasance or misfeasance which is predicated upon his admission to violations of the Rules Regulating the Florida Bar. The term of office which Mr. Rothstein was serving expired on July 1, 2012. The successor was appointed to a new term of office beginning October 11, 2012 and ending on July 1, 2016.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2013 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Jack Latvala, Chair

EXECUTIVE ORDER NUMBER 10-95
 (Executive Order of Suspension)

WHEREAS, Mildred Fernandez is presently serving as a member of the Orange County Commission, District 3; and

WHEREAS, on April 27, 2010, The Florida Department of Law Enforcement arrested Mildred Fernandez, based on probable cause that she committed bribery, grand theft, and accepting cash campaign contributions in excess of \$50, in violation of Sections 838.015, 812.014(2)(c), and 106.09(2)(b), Florida Statutes; and

WHEREAS, a violation of Section 838.015, Florida Statutes, constitutes a felony of the second degree; a violation of 812.014(2)(c), Florida Statutes, constitutes a felony of the third degree; and a violation of Section 106.09(2)(b), Florida Statutes, constitutes a felony of the third degree; and

WHEREAS, Article IV, Section 7, of the Florida Constitution provides that the Governor may suspend from office any county officer for "malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony," and

WHEREAS, it is in the best interests of the residents of Orange County, and the citizens of the State of Florida, that Mildred Fernandez be immediately suspended from the public office which she now holds, upon the grounds set forth in this executive order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to Article IV, Section 7, Florida Constitution, find as follows:

A. Mildred Fernandez is, and at all times material was, a member of the Orange County Commission, District 3.

B. The office of Orange County Commission is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached probable cause affidavit alleges that Mildred Fernandez committed felonies in violation of the laws of Florida, which acts also constitute malfeasance. This suspension is predicated upon the attached probable cause affidavit which alleges the commission of felonies and is incorporated as if fully set forth in this executive order.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Mildred Fernandez is suspended from the public office, which she now holds, to wit: member of the Orange County Commission, District 3.

Section 2. Mildred Fernandez is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 27th day of April, 2010.
Charlie Crist
 GOVERNOR

ATTEST:
Kurt S. Browning
 SECRETARY OF STATE

**Previously referred to the Committee on Ethics and Elections
 April 30, 2010.**

The Honorable Don Gaetz
 President of the Senate

April 24, 2013

RE: Suspension of FERNANDEZ, Mildred
 Member, Orange County Commission
 Orange County, Florida

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Mildred Fernandez.

By Executive Order Number 10-95 filed with the Secretary of State on April 27, 2010, and pursuant to Article IV, section 7(a) of the Florida Constitution, the Honorable Charlie Crist, Governor, suspended Mildred Fernandez as a member of the Board of County Commissioners of Orange County, Florida, alleging commission of a felony and malfeasance. Ms. Fernandez was charged with Unlawful Compensation for Official Behavior (s. 838.016, F.S.); Accepting Cash Campaign Contributions (s. 106.09(2)(b), F.S.); and numerous other offenses. On February 9, 2012, Ms. Fernandez was convicted of Unlawful Compensation for Official Behavior and several other felonies. Because Ms. Fernandez was convicted of several felonies, she is disqualified from holding office. Additionally, on November 6, 2012, a successor was elected to a new term of office in her former seat.

Based on the foregoing, I advise and recommend that the Senate take no action on the above-named suspension during the 2013 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Jack Latvala, Chair

**MESSAGES FROM THE HOUSE OF
 REPRESENTATIVES**

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 157, CS for HB 163, CS for CS for HB 217, CS for CS for HB 437, HB 683, CS for CS for CS for HB 701, CS for CS for HB 713, HB 759, CS for HB 783, CS for HB 795, CS for CS for HB 833, CS for HB 837, CS for HB 845, CS for CS for CS for HB 973, CS for HB 975, CS for HB 1067, CS for CS for CS for HB 1083, CS for CS for HB 1093, CS for CS for HB 1109, CS for CS for CS for HB 1145, CS for CS for HB 1147, HB 1221, CS for CS for HB 1393, HB 7015, HB 7079, CS for HB 7129, HB 7143, HB 7145; has passed as amended CS for CS for HB 49, CS for CS for HB 203, CS for CS for HB 229, CS for CS for HB 347, CS for HB 351, CS for CS for HB 411, CS for CS for HB 743, CS for CS for HB 939, CS for HB 1071, CS for HB 7019, CS for HB 7087, CS for HB 7165; has passed by the required constitutional two-thirds vote of the members voting CS for CS for HB 359, CS for HB 361, CS for CS for HB 1085, HB 7089, CS for HB 7135; has adopted HM 1253 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Insurance & Banking Subcommittee and Representative(s) Holder—

CS for HB 157—A bill to be entitled An act relating to delivery of insurance policies; amending s. 627.421, F.S.; authorizing an insurer to electronically transmit an insurance policy to the insured or other person entitled to receive the policy; providing an exception to electronic transmission for specified policies; providing requirements for electronic transmission of a policy; requiring that a paper copy of the policy be provided upon request of the insured or other person entitled to receive the policy; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

By Regulatory Affairs Committee and Representative(s) Smith—

CS for HB 163—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets; amending s. 817.361, F.S.; providing definitions; prohibiting the fraudulent repurchase of a multiuse ticket; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the resale or repurchase of multiuse tickets; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; Criminal Justice; Appropriations; and Rules.

By Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Cummings, Oliva, Artiles, Rodrigues, R.—

CS for CS for HB 217—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Economic Affairs Committee, Finance & Tax Subcommittee and Representative(s) Davis, Renuart, Eagle, Fullwood, Hutson, Pritchett, Raschein—

CS for CS for HB 437—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; revising the definition of "qualifying housing development"; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; providing for retroactive application; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation's strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation's development of its long-range plan; revising the required contents and information to be included in the corporation's annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the federal Homeownership and Opportunity for People Everywhere (HOPE) program; providing effective dates.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Representative(s) Pilon—

HB 683—A bill to be entitled An act relating to motor vehicles; amending ss. 320.02 and 322.08, F.S.; requiring the application forms for motor vehicle registration and renewal of registration and for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Auto Club Group Traffic Safety Foundation, Inc.; providing that such contributions are not income for specified purposes; providing for use of funds; providing that the foundation must comply with specified provisions; providing an effective date.

—was referred to the Committees on Transportation; Rules; and Appropriations.

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Healthy Families Subcommittee and Representative(s) Smith, Adkins, Coley, Cummings, Eagle, Gaetz, Hager, O'Toole, Patronis, Rodrigues, R., Tobia, Wood—

CS for CS for CS for HB 701—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; proving enforcement authority to the department; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; Children, Families, and Elder Affairs; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Pigman, Albritton, Mayfield—

CS for CS for HB 713—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

By Representative(s) Ahern, Grant, Baxley, Eagle, Fasano, Renuart, Rodrigues, R., Van Zant—

HB 759—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent

are not necessary for such an offense; providing exceptions; providing a definition; amending s. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term "unborn child" for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother; and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Judiciary; and Appropriations.

By Insurance & Banking Subcommittee and Representative(s) Eagle—

CS for HB 783—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

By Business & Professional Regulation Subcommittee and Representative(s) La Rosa, Hutson—

CS for HB 795—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Passidomo—

CS for CS for HB 833—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term "negative notice"; amending s. 727.104, F.S.; requiring an assignee's bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee's rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate's rights and obligations to and liability for the affected property to ter-

minate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee's deed to be in a specific form; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

By Local & Federal Affairs Committee and Representative(s) Mayfield—

CS for HB 837—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application services is optional under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Criminal Justice Subcommittee and Representative(s) Van Zant, Ahern, Campbell, Eagle, Fasano, Gaetz, Grant, Patronis, Rodrigues, R.—

CS for HB 845—A bill to be entitled An act relating to termination of pregnancy based on sex or race of the unborn child; providing a short title; providing findings and intent; amending s. 390.0111, F.S.; requiring a person performing a termination of pregnancy to first sign an affidavit stating that he or she is not performing the termination of pregnancy because of the child's sex or race and has no knowledge that the pregnancy is being terminated because of the child's sex or race; providing criminal penalties; prohibiting performing, inducing, or actively participating in a termination of pregnancy knowing that it is sought based on the sex or race of the child or the race of a parent of that child, using force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection or race-selection termination of pregnancy, and soliciting or accepting moneys to finance a sex-selection or race-selection termination of pregnancy; providing criminal penalties; providing for injunctions against specified violations; providing for civil actions by certain persons with respect to certain violations; specifying appropriate relief in such actions; authorizing civil fines of up to a specified amount against physicians and other medical or mental health professionals who knowingly fail to report known violations; providing that a mother who has not attained a specified age on whom a sex-selection or race-selection termination of pregnancy is performed is not subject to criminal prosecution or civil liability for any violation or for a conspiracy to commit a violation; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Judiciary; and Rules.

By Regulatory Affairs Committee, Local & Federal Affairs Committee, Business & Professional Regulation Subcommittee and Representative(s) Brodeur, Nuñez, Santiago—

CS for CS for CS for HB 973—A bill to be entitled An act relating to low-voltage systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing for applicability; requiring local enforcement agencies to offer for sale uniform basic permit labels to contractors for a specified cost; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; prescribing a form for such notice; providing inspection procedures and requirements for low-voltage alarm system projects; prohibiting specified local governments from adopting or maintaining certain ordinances and rules; providing that an additional uniform basic permit label shall not be required to perform work on certain alarm systems; providing for applicability; providing an effective date.

—was referred to the Committees on Regulated Industries; and Criminal Justice.

By Transportation & Economic Development Appropriations Subcommittee and Representative(s) Metz—

CS for HB 975—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; providing a definition for "water authority"; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Regulatory Affairs Committee and Representative(s) Hutson, Combee—

CS for HB 1067—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur mixed martial arts matches; amending s. 548.007, F.S.; revising nonapplicability of ch. 548, F.S.; repealing s. 548.015, F.S., which requires licensed concessionaires to obtain a security, to conform; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an appropriation; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Eagle, Harrell, Hudson—

CS for CS for CS for HB 1083—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Appropriations.

By Health & Human Services Committee, Health Quality Subcommittee and Representative(s) Hudson, Smith, Wood—

CS for CS for HB 1093—A bill to be entitled An act relating to volunteer health services; amending ss. 458.317 and 459.0075, F.S.; revising criteria required for limited licensure for physicians; amending s. 766.1115, F.S.; revising requirements for patient referral under the "Access to Health Care Act"; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that rules adopted by the department give providers

the greatest flexibility possible in order to serve eligible patients; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) Magar—

CS for CS for HB 1109—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., relating to transitional living facilities; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, discharge, and length of residency; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints, seclusion, and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; requiring the agency, in consultation with the Department of Health, to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; amending s. 381.745, F.S.; revising the definition of the term "transitional living facility"; amending s. 381.75, F.S.; revising responsibilities of the Department of Health with respect to residents of transitional living facilities; amending s. 381.78, F.S.; revising the duties of the advisory council on brain and spinal cord injuries; amending ss. 408.802 and 408.820, F.S.; conforming provisions to changes made by the act; amending s. 400.93, F.S.; providing an exemption from home medical equipment licensure for transitional living facilities under certain conditions; repealing s. 400.805, F.S., relating to transitional living facilities; providing for continuation of licensure of certain transitional living facilities under the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By State Affairs Committee, Government Operations Appropriations Subcommittee, Government Operations Subcommittee and Representative(s) La Rosa—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring a state agency to submit a plan if a building or parcel is offered for use to the agency; requiring the board of trustees to adopt rules; amending s. 255.248, F.S.; defining the terms "managing agency" and "tenant broker"; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption that allows certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing effective dates.

—was referred to the Committees on Governmental Oversight and Accountability; Environmental Preservation and Conservation; and Appropriations.

By Judiciary Committee, Justice Appropriations Subcommittee and Representative(s) Fitzenhagen—

CS for CS for HB 1147—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising a definition; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking renewal of certification or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Representative(s) Artiles—

HB 1221—A bill to be entitled An act relating to murder of a child 17 years of age or younger; creating s. 782.066, F.S.; providing for reclassification of specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Beshears—

CS for CS for HB 1393—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; authorizing the use of certain brands and marks on containers used for the storage and transport of agricultural and other commercial products to designate and distinguish ownership of the containers; creating s. 506.265, F.S.; providing definitions; providing requirements for the sale and purchase of a specified number of plastic bulk merchandise containers; providing that prosecuting attorneys may inspect records of purchase at any time upon reasonable notice; providing criminal and civil penalties; providing an exception for the operator of a waste management facility and certain tax-exempt entities; providing an effective date.

—was referred to the Committees on Agriculture; Criminal Justice; and Appropriations.

By Civil Justice Subcommittee and Representative(s) Metz, Gaetz—

HB 7015—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

—was referred to the Committees on Judiciary; and Rules.

By Government Operations Subcommittee and Representative(s) Ahern—

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public records requirements for certain information contained in records documenting an act of domestic violence or sexual violence which are submitted to an agency by an agency employee; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Health & Human Services Committee, Healthy Families Subcommittee and Representative(s) Perry—

CS for HB 7129—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term "boarding school"; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is provided without a license; requiring background screening for boarding school personnel; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; revising residency requirements; amending s. 409.176, F.S.; requiring notification of qualified associations for specified violations; providing for fines; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

By Government Operations Subcommittee and Representative(s) Cummings—

HB 7143—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public record and public meeting requirements for information identifying certain donors to the direct-support organization for the Department of Veterans' Affairs; removing superfluous language; specifying that the public meeting exemption applies to those portions of meetings wherein the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Government Operations Subcommittee and Representative(s) Combee—

HB 7145—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public record requirements for employment discrimination complaints and other records; removing the scheduled repeal of the exemption; providing an effective date.

—was referred to the Committee on Rules.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Rouson, Harrell, Pilon, Stewart, Van Zant—

CS for CS for HB 49—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Local & Federal Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Beshears, Adkins, Albritton, Caldwell, Coley, Combee, Edwards, Gaetz, Raburn, Raschein, Van Zant, Wood—

CS for CS for HB 203—A bill to be entitled An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; amending s. 604.50, F.S.; revising an exemption from the Florida Building Code and certain county and municipal code provisions and fees for nonresidential farm buildings, fences, and signs; limiting applicability of the exemption to such farm buildings, fences, and signs located on certain lands; defining the term "bona fide agricultural purposes"; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Rodriguez, J.—

CS for CS for HB 229—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising

provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Rules.

By Regulatory Affairs Committee, Business & Professional Regulation Subcommittee and Representative(s) Renuart, Campbell, Danish, Eagle, Fitzenhagen, Hood, Raschein, Steube—

CS for CS for HB 347—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions with respect to the licensure and operation of distilleries; providing requirements for craft distilleries; providing for the sale of distilled spirits by licensed distilleries under certain conditions; providing reporting requirements; prohibiting the shipment of certain distilled spirits; prohibiting the transfer of a distillery license under certain conditions; prohibiting a craft distillery from having its ownership affiliated with another distillery under certain conditions; providing requirements relating to the payment of taxes; providing for applicability; providing rulemaking authority; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premise under certain conditions; amending ss. 561.14, 567.06, and 567.07, F.S.; conforming cross-references; providing legislative intent with respect to the severability or nonseverability of specified amendments made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; and Appropriations.

By Judiciary Committee and Representative(s) Metz, Adkins, Ahern, Albritton, Brodeur, Broxson, Caldwell, Davis, Eagle, Gaetz, Hager, Raburn, Spano, Steube, Van Zant—

CS for HB 351—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term "foreign law, legal code, or system"; clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution in certain proceedings or actions brought after the act becomes a law; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in actions or proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate

Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; Children, Families, and Elder Affairs; and Rules.

By Health & Human Services Committee, Healthy Families Subcommittee and Representative(s) Fullwood, Antone, Berman, Campbell, Castor Dentel, Danish, Gibbons, Jones, S., McGhee, Moskowitz, Pafford, Pritchett, Richardson, Rodríguez, J., Rouson, Stafford, Watson, B., Watson, C.—

CS for CS for HB 411—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; and Appropriations.

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee and Representative(s) Rodrigues, R., Broxson—

CS for CS for HB 743—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service providers and vendors to disclose certain information; providing for applicability; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Rules.

By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) Pigman—

CS for CS for HB 939—A bill to be entitled An act relating to Medicaid recoveries; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; defining the terms "administrative fines" and "outstanding overpayment"; revising provisions relating to the agency's onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through tele-

communications technology; amending s. 409.910, F.S.; revising provisions relating to settlements of Medicaid claims against third parties; providing procedures for a Medicaid recipient to contest the amount of recovered medical expense damages; providing for certain reports to be admissible as evidence to substantiate the agency's claim; providing for venue; providing conditions regarding attorney fees and costs; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; clarifying a provision regarding accrued interest on certain payments withheld from a provider; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; revising membership requirements for the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services; providing for future review and repeal; amending s. 624.352, F.S., relating to interagency agreements to detect and deter Medicaid and public assistance fraud; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Health Innovation Subcommittee and Representative(s) Antone—

CS for HB 1071—A bill to be entitled An act relating to health care accrediting organizations; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term "accrediting organizations" in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; amending s. 486.102, F.S.; specifying accrediting agencies for physical therapist assistant programs; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Rules.

By Economic Affairs Committee, Economic Development & Tourism Subcommittee and Representative(s) Trujillo, Perry—

CS for HB 7019—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or

existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 32, ch. 2012-205, Laws of Florida, relating to the extension of certain permits and authorizations issued by the Department of Environmental Protection, water management districts, and local governments; revising the date by which holders of such permits and authorizations are required to notify the authorizing agency of specified information; amending s. 381.0065, F.S.; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection, a water management district, or a local government for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; providing an effective date.

—was referred to the Committees on Community Affairs; and Rules.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Beshears—

CS for HB 7087—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; amending s. 259.10521, F.S.; revising provisions relating to the citizen support organization for the Babcock Ranch Preserve and use of the ranch property; amending s. 259.1053, F.S.; revising provisions of the Babcock Preserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service, subject to appropriation; directing the Fish and Wildlife Commission, in cooperation with the Florida Forest Service, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for transfer of the Babcock Ranch, Inc., to the department upon dissolution of the corporation; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon such dissolution; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain

rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; providing for the collection and deposit of costs related to enforcement of prohibitions against the adulteration or misbranding of honey; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition

services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—was referred to the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

By Appropriations Committee, Education Committee and Representative(s) O'Toole, Porter, Saunders—

CS for HB 7165—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for investigation of fraud or overpayment and penalties therefor; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program;

revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Government Operations Subcommittee, Higher Education & Workforce Subcommittee and Representative(s) Pigman, Mayfield—

CS for CS for HB 359—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for any portion of a meeting of the board of directors of a university direct-support organization, or of the executive committee or other committees of such board, at which the identity of a donor or prospective donor, any proposal seeking research funding from the organization, or a plan or program for either initiating or supporting research is discussed; providing for review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Accountability; Ethics and Elections; and Rules.

By Criminal Justice Subcommittee and Representative(s) Kerner, Campbell, Rooney—

CS for HB 361—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

By State Affairs Committee, Agriculture & Natural Resources Subcommittee and Representative(s) Eagle, Broxson—

CS for CS for HB 1085—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for proprietary business information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the

term "proprietary business information"; authorizing disclosure of such information under specified conditions; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

By Agriculture & Natural Resources Subcommittee and Representative(s) Beshears—

HB 7089—A bill to be entitled An act relating to public records; creating s. 595.409, Florida Statutes; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program, as defined in s. 595.402, F.S., held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—was referred to the Committees on Agriculture; Governmental Oversight and Accountability; and Rules.

By State Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Nelson—

CS for HB 7135—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By Representative(s) Diaz, J., Raschein, Artiles—

HM 1253—A memorial to the Congress of the United States, urging Congress to direct the National Marine Fisheries Service to withdraw its consideration of listing the queen conch as a threatened or endangered species.

—was referred to the Committee on Environmental Preservation and Conservation.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 718; adopted SM 1266; passed CS for SB 4 by the required constitutional two-thirds vote of the members voting in the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed CS for CS for CS for HB 569 as amended.

Robert L. "Bob" Ward, Clerk

ENROLLING REPORTS

CS for SB 2 and CS for CS for SB 718 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 24, 2013.

Debbie Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 16 and April 23 were corrected and approved.

CO-INTRODUCERS

Senators Bean—CS for CS for SB 92; Benacquisto—CS for CS for SB 92

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 4:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, April 25 or upon call of the President.



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:00 a.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Excused: Senator Bullard; Senator Negron periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Rev. B. Kyle Peddie, Pastor, Corinth Baptist Church, Hosford:

Dear Heavenly Father, we come to you this morning thanking you for your mercies that your word says are new each and every morning. We truly thank you for the breath of life that sustains us. We thank you for our families who allow us to do what we do each day. We thank you for the great State of Florida which has been blessed beyond measure.

Lord, I pray right now for each and every great leader in this room. I pray that you give each one the wisdom needed to make decisions that reflect a servant who is truly worthy of their hire. I pray for each Senator's family, each Senator's spouse, and each Senator's home while they are here in Tallahassee working. Never let the devil get a foothold in a marriage, situation, or opportunity that would compromise their ability to make clear and concise decisions for our state.

As this session is winding down, Lord, I pray that all our leaders on both sides of the aisle would be able to work out differences, make compromises, and ultimately make the best decisions for all our citizens. I pray that morality never takes a back seat to immorality, that politics

never trump integrity, and that the work done in this chamber today would be something that would be pleasing in thy sight. Lord, I pray for our state during this tough economy right now. I pray that we would continue to keep our eyes focused on you through these tough times. Help us through these times to always find ways to help those who are less fortunate than us and find ways to be a blessing to them. Truly help us to love our neighbor as ourselves, and may that command that Jesus gave us be the foundation to everything that is done here today.

Lord, bless President Gaetz as he leads today; bless all our Senators—especially mine, Senator Montford. Thank you for the Bible, thank you for salvation in your Son, and thank you for the Cross. Lead today, we pray in Jesus name. Amen.

PLEDGE

Senate Pages Charles VanCamp of Apopka; Isaiah Beaton of Bradenton; Laura Stargel of Lakeland, daughter of Senator Stargel; and Erica Taylor of Chattahoochee led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Lee—

By Senators Lee and Joyner—

SR 1902—A resolution remembering the life of Tampa's own, the Honorable James "Jim" Albaugh Lenfestey.

WHEREAS, Jim Lenfestey was a second-generation Tampa native, born into one of Tampa's pioneer families, and attended Gorrie Elementary, Wilson Junior High, and Plant High School, and

WHEREAS, Jim Lenfestey received his B.A. degree from George Washington University in Washington, D.C., and his J.D. degree from the College of Law, where he became a member of Phi Delta Phi, an international legal honorary society, and

WHEREAS, after 16 years of general law practice in Tampa in the firm he established, Jim Lenfestey was elected to the 13th Judicial Circuit Court in 1966 following a hotly contested three-way race and served for 24 years on the bench before "retiring" to pursue more than a decade of active service as a mediator, and

WHEREAS, during his tenure as a circuit judge, Jim Lenfestey was elected chairman of the Florida Conference of Circuit Judges and served two terms as chief judge of the 13th Judicial Circuit, receiving the Robert W. Patton Outstanding Jurist Award from the Hillsborough County Bar Association, Young Lawyers Section, and

WHEREAS, after 10 years on the bench, Jim Lenfestey was pleased to receive the highest approval rating of any judge in a Hillsborough County Bar Association lawyer opinion survey, and

WHEREAS, for many years, Jim Lenfestey's favorite pastime was teaching college classes in business and constitutional law at the University of South Florida, the University of Tampa, Hillsborough Community College, and other local campuses, and

WHEREAS, Jim Lenfestey was a veteran of and attained the rank of colonel in the United States Army Reserve, and served as a member of the Fort Stewart/Hunter Army Airfield Retiree Council, and

WHEREAS, Jim Lenfestey led and was active in a variety of legal, professional, civic, and charitable organizations and endeavors, and he and his beloved wife of 54 years, Laurel White Norden Lenfestey, who predeceased him, were faithful members of First Presbyterian Church, where he served as a deacon and elder and, for decades, taught an adult Sunday School class, and

WHEREAS, Jim Lenfestey will long be remembered for his wisdom, wit, work ethic, courtesy, and interest in others, many of whom he served as a mentor to, NOW, THEREFORE,

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

That we pause to remember the life of the Honorable James “Jim” Albaugh Lenfestey, recognize his indelible mark on the Hillsborough County legal community, and extend our deepest sympathy to his family and friends.

—was introduced out of order and read by title. On motion by Senator Lee, **SR 1902** was read the second time by title and adopted.

At the request of Senator Evers—

By Senator Evers—

SR 728—A resolution honoring Colonel Graham W. Fountain for his distinguished service to state and local law enforcement.

WHEREAS, Colonel Graham Fountain began his local law enforcement career in 1980 as a deputy sheriff in Okaloosa County and went on to provide executive leadership in two Florida Panhandle counties, serving as undersheriff to Okaloosa County Sheriff Larry Gilbert and as chief of staff and director of law enforcement operations for the Walton County Sheriff’s Office, and

WHEREAS, Colonel Graham Fountain worked diligently to protect children from crime by working with the Okaloosa District School Board to implement the county’s first school resource deputy program and went on to serve in other public safety positions, including chief investigator for the State Comptroller and investigator with the Florida Division of Insurance Fraud, where he was honored for his investigative activities, and

WHEREAS, Colonel Graham Fountain has gone above and beyond the call of duty to further professionalize the field of law enforcement by encouraging public service and community involvement, serving for 6 years as a commissioner of the Florida Commission on Law Enforcement Agency Accreditation and as a two-term president of the State Law Enforcement Chiefs’ association, and

WHEREAS, Colonel Graham Fountain has been active in supporting area charities and nonprofits, including Toys for Tots, Homestead Ministries, Inc., Regenerate Student Ministries, Inc., Habitat for Humanity, the American Heart Association, and Florida Sheriff’s Boys and Girls Ranches, and currently serves on the Florida Historical Commission, and

WHEREAS, Colonel Graham Fountain has been honored with many awards and recognitions for his commitment to protecting the citizens of and visitors to this state, and

WHEREAS, Colonel Graham Fountain was appointed by Governor Jeb Bush as Director of Commercial Vehicle Enforcement for the Florida Department of Transportation where, over the course of 8 years, he brought the agency from relative obscurity to recognition as one of the top enforcement agencies in the nation, and

WHEREAS, Colonel Graham Fountain served on this state’s Domestic Security Statewide Working Group, the U.S. Department of Justice Homeland Security Advisory Council, and the State Emergency Management ESF-16 Executive Leadership Council, and

WHEREAS, Colonel Graham Fountain managed the implementation of the “Pre-Pass” system for prescreening commercial motor vehicles, reducing the regulatory downtime for trucks traveling the roadways and saving the transportation industry millions of travel hours, and

WHEREAS, Colonel Graham Fountain has honorably served Okaloosa and Walton Counties and this state for more than 28 years in the fields of public safety and law enforcement and will retire on May 10, 2013, from his position as chief of staff of the Walton County Sheriff’s Office, NOW, THEREFORE,

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

That the Senate recognizes Colonel Graham W. Fountain for his distinguished service to our state; honors him for his extensive contributions in the fields of law enforcement, public safety, and criminal justice professionalism; and wishes him well upon his retirement.

—**SR 728** was introduced, read and adopted by publication.

At the request of Senator Evers—

By Senator Evers—

SR 1414—A resolution recognizing Bay County on the occasion of its centennial celebration.

WHEREAS, Bay County was established on July 1, 1913, following the signing of its charter on April 24, 1913, and

WHEREAS, Bay County is located in the heart of Florida’s Great Northwest, with 27 miles of sugar white sandy beaches overlooking the beautiful, emerald-green waters of the Gulf of Mexico, and

WHEREAS, with 270 square miles of water, Bay County’s pristine lakes, springs, streams, and the magnificent St. Andrews Bay provide excellent fishing, water sports, and other recreational activities, as well as one of the most ecologically diverse areas in this great state, and

WHEREAS, with a total of 1,033 square miles, Bay County’s beautiful beaches and diverse inland areas attract 8 million visitors from around the globe each year and also boast an educated and enthusiastic workforce that creates a vibrant business environment, and

WHEREAS, Bay County is composed of seven incorporated municipalities, Callaway, Lynn Haven, Mexico Beach, Panama City, which is the county seat, Panama City Beach, Parker, and Springfield, and several unincorporated areas, and

WHEREAS, Bay County has experienced impressive growth in population, from 11,407 in 1920 to about 170,000 in 2010, and

WHEREAS, Bay County contributes significantly to this state’s overall economic well-being, rich history, and cultural diversity, NOW, THEREFORE,

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

That we recognize Bay County’s proud past and bright future on the occasion of its centennial celebration and honor the residents, community leaders, and elected officials of Bay County as they celebrate its rich history along beautiful St. Andrews Bay.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the chairman of the Board of County Commissioners of Bay County as a tangible token of the sentiments expressed in this resolution.

—**SR 1414** was introduced, read and adopted by publication.

At the request of Senator Sachs—

By Senators Sachs, Abruzzo, and Soto—

SR 1836—A resolution recognizing 2013 as “The Year of Italian Culture” in Florida.

WHEREAS, 2013 has been recognized as “The Year of Italian Culture in the United States,” during which all Americans are encouraged to recognize how the bonds of friendship between Italy and the United States have been strengthened since World War II, and

WHEREAS, the historic friendship between Italy and the United States is not only based on a solid alliance between governments but on deep bonds of solidarity between our peoples, and

WHEREAS, the many events planned throughout 2013 in this and other states will highlight the contributions of Italy from the Renaissance and into the future, as Italy establishes itself in the forefront of science, technology, research, and innovation, and

WHEREAS, this celebration will promote the country of Italy, engage Americans in, and excite them about, international relations, as well as strengthen the bonds that unite us, while creating new bonds, NOW, THEREFORE,

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

That we recognize 2013 as “The Year of Italian Culture” in Florida and encourage the people of this state to join in this nationwide celebration.

—**SR 1836** was introduced, read and adopted by publication.

At the request of Senator Flores—

By Senator Flores—

SR 1854—A resolution celebrating Franco-Floridian relationships and recognizing Florida’s rich French heritage.

WHEREAS, in 2012, the celebration of the 450th anniversary of a French presence in Florida commenced, with recognition of the first French expedition, led by Jean Ribault, which landed in Florida in the spring of 1562, and

WHEREAS, the celebration will continue through 2015, as we recognize a second expedition which, with the help of the Timucuan, led to the founding of the first French settlement on American soil, Fort Caroline near what is now Jacksonville, on June 30, 1564, and

WHEREAS, in October 2012, the French-American Chamber of Commerce in Miami, in partnership with the French Consulate, organized the first Miami-Nice Jazz Festival, which highlighted the partnership between the cities of Nice and Miami, which have been sister cities since 1963, and

WHEREAS, the number of sister city relationships between Florida communities and France has grown to 15, with the signing of a sister-city agreement between Cognac and the Village of Pinecrest, which will focus on educational initiatives, and

WHEREAS, in recognition of the importance of international cooperation, public schools in Miami-Dade and Broward Counties now offer a unique bilingual curriculum in French and English, known as International Studies, which allows K-12 students to simultaneously attend both the American and the French programs and obtain respective diplomas, and

WHEREAS, the France Florida Foundation for the Arts is a nonprofit organization created to promote French art and culture in this state and to support cultural, educational, and artistic exchanges between France and Florida through exhibitions, performances, lectures, and other cultural events that reflect the quality of French artists and scholars today, thereby promoting knowledge of the French language, history, and culture among local students and citizens, and

WHEREAS, it is estimated that about 30,000 French citizens currently reside in this state, providing some 18,000 jobs and contributing significantly to the economic well-being of all Floridians, NOW, THEREFORE,

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

That we celebrate Franco-Floridian relationships and recognize Florida’s rich French heritage.

—**SR 1854** was introduced, read and adopted by publication.

At the request of Senator Legg—

By Senator Legg—

SR 1892—A resolution commending the Florida Association for Behavior Analysis on its 33rd Anniversary and recognizing the week of September 23-27, 2013, as “Florida Behavior Analysis Week” in Florida.

WHEREAS, the Florida Association for Behavior Analysis is the nation’s largest statewide organization committed to the promotion and support of behavior analysis, and

WHEREAS, for the past 33 years the Florida Association for Behavior Analysis has promoted the ethical, humane, and effective application of behavior principles in all aspects of society, including education, business, rehabilitation facilities, and government, and

WHEREAS, behavior analysis is a science-based, cost-effective approach for training teachers, parents, and caregivers to prevent and solve serious behavior problems, and

WHEREAS, behavior analysis has demonstrated its effectiveness for many applications, including the treatment of autistic individuals, teaching basic self-help skills and language to persons with developmental disabilities, and helping foster parents lovingly raise emotionally difficult children, and

WHEREAS, the behavior analysts who are members of the Florida Association for Behavior Analysis have diverse backgrounds, including consulting firms, state government programs, private therapy practices, and school administrations, and

WHEREAS, the Florida Association for Behavior Analysis holds an annual conference each fall as a forum for exchanging ideas and data-based research relating to behavior analysis, behavior therapy, performance management, and behavior management programming, NOW, THEREFORE,

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

That the Florida Association for Behavior Analysis is recognized for its 33 years of contributions to the field of behavior analysis and that the week of September 23-27, 2013, is recognized as “Florida Behavior Analysis Week” in Florida.

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

—**SR 1892** was introduced, read and adopted by publication.

RECONSIDERATION OF BILL

On motion by Senator Bean, the Senate reconsidered the vote by which—

SB 604—A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; reorganizing provisions relating to license fees for certain practitioners; amending s. 456.076, F.S.; providing that the Department of Financial Services shall defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency interventions on behalf of the impaired practitioners; providing an effective date.

—as amended passed April 24.

Senator Bean moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (385424) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (2) of section 401.34, Florida Statutes, are amended to read:

401.34 Fees.—

(1) Each organization ~~or person~~ subject to this part must pay to the department the following nonrefundable fees, *and these fees must be deposited into the Emergency Medical Services Trust Fund to be applied*

solely for salaries and expenses of the department incurred in implementing and enforcing this part:

(a) Basic life support service license application: \$660, to be paid biennially.

(b) Advanced life support service license application: \$1,375, to be paid biennially.

(c) Original or renewal vehicle permit application for basic or advanced life support: \$25, to be paid biennially.

(d) Air ambulance service application: \$1,375, to be paid biennially.

(e) Original or renewal aircraft permit application for air ambulance: \$25, to be paid biennially.

(2) Each person subject to this part must pay to the department the following nonrefundable fees, and these fees must be deposited into the Medical Quality Assurance Trust Fund:

(a)(4) Emergency medical technician certification examination application: \$40.

(b)(e) Emergency medical technician original certificate application: \$35.

(c)(f) Emergency medical technician renewal certificate application: \$20, to be paid biennially.

(d)(g) Paramedic certification examination application: \$40.

(e)(h) Paramedic original certificate application: \$45.

(f)(i) Paramedic renewal certificate application: \$45, to be paid biennially.

~~(j) Air ambulance service application: \$1,375, to be paid biennially.~~

~~(k) Original or renewal aircraft permit application for air ambulance: \$25, to be paid biennially.~~

~~(2) Fees collected under this section must be deposited to the credit of the Emergency Medical Services Trust Fund and must be applied solely for salaries and expenses of the department incurred in implementing and enforcing this part.~~

Section 2. Paragraph (b) of subsection (7) of section 456.076, Florida Statutes, is amended to read:

456.076 Treatment programs for impaired practitioners.—

(7)

(b) In accordance with s. 284.385, the Department of Financial Services shall defend any claim, suit, action, or proceeding, including a claim, suit, action, or proceeding for injunctive, affirmative, or declaratory relief, against the consultant, the consultant's officers or employees, or those acting at the direction of the consultant for the limited purpose of an emergency intervention on behalf of a licensee or student as described in subsection (2) when the consultant is unable to perform such intervention, which claim, suit, action, or proceeding is brought as a result of an ~~any~~ act or omission by any of the consultant's officers and employees and those acting under the direction of the consultant for the limited purpose of an emergency intervention on behalf of the a licensee or student ~~as described in subsection (2)~~ when the consultant is unable to perform such intervention, if the ~~when such~~ act or omission arises out of and is in the scope of the consultant's duties under its contract with the department.

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to practitioners; amending s. 401.34, F.S.; revising requirements for the deposit and use of license fees for certain practitioners; amending s. 456.076, F.S.; requiring the Department of Financial Services to defend certain claims, suits, actions, or proceedings for injunctive, affirmative, or declaratory relief involving emergency in-

terventions on behalf of impaired practitioners; providing an effective date.

On motion by Senator Bean, **SB 604** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Gibson

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

CS for CS for SB 654—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; providing that an owner of containers used for the storage or transport of agricultural or other commercial products may adopt for his or her exclusive use a particular mark or brand to designate and distinguish ownership of the containers; making technical and grammatical changes; creating s. 506.265, F.S.; providing definitions; requiring that a person who purchases five or more plastic bulk merchandise containers from one seller obtain proof of ownership, verify the seller's identity, pay noncash, and record and maintain other information for a specified period of time; providing that prosecuting attorneys may inspect the records at any time upon reasonable notice; providing an exception for licensed waste haulers and certain tax-exempt entities; creating s. 506.266, F.S.; providing criminal and civil penalties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 654**, on motion by Senator Montford, by two-thirds vote **CS for CS for HB 1393** was withdrawn from the Committees on Agriculture; Criminal Justice; and Appropriations.

On motion by Senator Montford—

CS for CS for HB 1393—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; authorizing the use of certain brands and marks on containers used for the storage and transport of agricultural and other commercial products to designate and distinguish ownership of the containers; creating s. 506.265, F.S.; providing definitions; providing requirements for the sale and purchase of a specified number of plastic bulk merchandise containers; providing that prosecuting attorneys may inspect records of purchase at any time upon reasonable notice; providing criminal and civil penalties; providing an exception for the operator of a waste management facility and certain tax-exempt entities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 654** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1393** was placed on the calendar of Bills on Third Reading.

CS for SB 754—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 754**, on motion by Senator Grimsley, by two-thirds vote **CS for CS for HB 713** was withdrawn from the Committees on Environmental Preservation and Conservation; Community Affairs; and Appropriations.

On motion by Senator Grimsley—

CS for CS for HB 713—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 754** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 713** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gardiner—

CS for CS for SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 848** was placed on the calendar of Bills on Third Reading.

CS for SB 864—A bill to be entitled An act relating to tied house regulation; amending s. 561.42, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to impose administrative sanctions for certain violations relating to coupons redeemable by vendors; providing an exception; prohibiting licensees under the Beverage Law from possessing or using certain coupons involving malt beverages; conforming provisions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 864**, on motion by Senator Thrasher, by two-thirds vote **CS for HB 695** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Thrasher—

CS for HB 695—A bill to be entitled An act relating to tied house regulation; amending s. 561.42, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to impose administrative sanctions for violations of specified provisions of the Beverage Law under certain circumstances; prohibiting licensees from possessing or using certain coupons for malt beverages; removing a provision prohibiting distributors of beer from furnishing certain coupons to consumers; providing an effective date.

—a companion measure, was substituted for **CS for SB 864** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 695** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1046**, **CS for CS for CS for SB 306**, **CS for SB 1412**, **SB 1852**, **CS for CS for SB 1392**, and **CS for CS for SB 904** was deferred.

On motion by Senator Legg—

CS for CS for SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; providing that a utility that elects not to complete construction of a nuclear power plant may not recover or retain any rate of return for related costs; requiring the Public Service Commission to review the circumstances surrounding a proposed nuclear power plant if the anticipated cost and completion date exceed the original cost and completion date by a certain amount or period; specifying factors to be considered and dates by which the review must commence and be completed; providing an effective date.

—was read the second time by title.

Senators Legg, Latvala, Simpson, and Brandes offered the following amendment which was moved by Senator Legg and adopted:

Amendment 1 (313776) (with title amendment)—Delete lines 93-188 and insert: *licensing or certification*.

(c) *After a utility obtains a license or certification, it must petition the commission for approval before proceeding with preconstruction work beyond those activities necessary to obtain or maintain a license or certification.*

1. *The only costs that a utility that has obtained a license or certification may recover before obtaining commission approval are those that are previously approved or necessary to maintain the license or certification.*

2. *In order for the commission to approve preconstruction work on a plant, it must determine that:*

a. *The plant remains feasible; and*

b. *The projected costs for the plant are reasonable.*

(d) *After a utility obtains approval to proceed with postlicensure or postcertification preconstruction work, it must petition the commission for approval of any preconstruction materials or equipment purchases that exceed 1 percent of the total projected cost for the project. Such petition shall be reviewed and completed in the annual Nuclear Cost Recovery Clause proceeding in which it is filed or in a separate proceeding by the utility.*

(e) A utility must petition the commission for approval before beginning the construction phase.

1. The only costs that a utility that has obtained commission approval may recover before beginning construction work are those that are previously approved or necessary to maintain the license or certification.

2. In order for the commission to approve proceeding with construction on a plant, it must determine that:

- a. The plant remains feasible; and
- b. The projected costs for the plant are reasonable.

(f)1. If a utility has not begun construction of a plant within:

a. Ten years after the date on which the utility obtains a combined license from the Nuclear Regulatory Commission for a nuclear power plant or a certification for an integrated gasification combined cycle power plant, the utility must petition the commission to preserve the opportunity for future recovery under this section for costs relating to that plant. The commission must determine whether the utility remains intent on building the plant.

(I) If the commission finds that the utility remains intent on building the plant, the utility may continue to recover costs under this section.

(II) If the commission finds a lack of such intent, it may enter an order prohibiting recovery of any future costs relating to the plant under this section.

b. Twenty years after the date on which the utility obtains a combined license from the Nuclear Regulatory Commission for a nuclear power plant or a certification for an integrated gasification combined cycle power plant, the utility may not, under this section, recover future costs relating to that plant.

2. Consistent with subsection (4), nothing in this section shall preclude a utility from recovering the full revenue requirements of the nuclear power plant or integrated gasification combined cycle power plant in base rates upon the commercial in-service date.

3. Beginning January 1, 2014, in making its determination for any cost recovery under this paragraph, the commission may find that a utility intends to construct a nuclear or integrated gasification combined cycle power plant only if the utility proves by a preponderance of the evidence that it has committed sufficient, meaningful, and available resources to enable the project to be completed and that its intent is realistic and practical.

(6) If the utility does elects not to complete or is precluded from completing construction of the nuclear power plant, including new, expanded, or relocated electrical transmission lines or facilities necessary thereto, or of the integrated gasification combined cycle power plant, the utility shall be allowed to recover all prudent preconstruction and construction costs incurred following the commission's issuance of a final order granting a determination of need for the nuclear power plant and electrical transmission lines and facilities necessary thereto or for the integrated gasification combined cycle power plant. The utility shall recover such costs through the capacity cost recovery clause over a period equal to the period during which the costs were incurred or 5 years, whichever is greater. The unrecovered balance during the recovery period will accrue interest at the utility's weighted average cost of capital as reported in the commission's earnings surveillance reporting requirement for the prior year. However, if the utility elects not to complete construction of the nuclear power plant, rather than being precluded from completing such construction, the utility may not recover or retain any rate of return under this section. Any cost recovery after the date of the decision not to complete construction of the plant may not include a rate of return. A utility that elects not to complete construction shall refund to its customers the costs recovered before the date of the decision which are attributable to a recovery of a rate of return.

Section 2. This act does not apply to costs incurred, or contracts or settlement agreements entered into, before July 1, 2013. It also does not apply if, on or before that date, the Public Service Commission receives written notice that a utility has elected not to complete construction of a power plant.

And the title is amended as follows:

Delete lines 10-19 and insert: that the commission may not determine that a utility intends to complete construction of a power plant unless the utility proves its efforts by a preponderance of the evidence; providing that a utility that elects not to complete construction of a nuclear power plant may not recover or retain any rate of return for related costs; exempting certain actions taken before this act takes effect; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1472** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gibson—

CS for SB 606—A bill to be entitled An act relating to the Northeast Florida Regional Transportation Commission; providing a directive to the Division of Law Revision and Information; creating s. 343.1001, F.S.; providing a short title; creating s. 343.1002, F.S.; providing definitions; creating s. 343.1003, F.S.; creating the Northeast Florida Regional Transportation Commission; providing for a nine-member commission board; providing for board appointment; providing for staffing; providing for member removal; providing liability protection for members; creating s. 343.1004, F.S.; providing commission powers and duties; prohibiting the commission from pledging the state's credit; creating s. 343.1005, F.S.; providing for transportation projects of regional significance; specifying the characteristics for such projects; creating s. 343.1006, F.S.; requiring commission plans and planning activity to be coordinated with other specified entities; creating s. 343.1008, F.S.; authorizing other governmental units and the commission to contract with each other; creating s. 343.1009, F.S.; exempting the commission from taxes or assessments; creating s. 343.1010, F.S.; specifying that the powers of the commission are supplemental to other laws; creating s. 343.1011, F.S.; providing for public meetings and hearings; creating s. 343.1012, F.S.; specifying that the commission is not an authority for purposes of specified provisions relating to a discretionary tax; creating s. 343.1013, F.S.; providing for repeal; amending s. 120.52, F.S.; conforming provisions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 606** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 448—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term "navigation rules" for purposes of provisions relating to vessels; amending s. 328.72, F.S.; deleting the automatic adjustment of vessel registration fees every 5 years; amending s. 379.101, F.S.; revising the definition of the term "resident" or "resident of Florida" for purposes of provisions relating to recreational and non-recreational activity licenses; providing for certain evidence of residence; revising the definition of the term "resident alien" to remove a county residency requirement; amending s. 379.353, F.S.; exempting individuals participating in certain outdoor recreational events from requirements for a hunting or fishing license or permit; amending s. 379.354, F.S.; deleting a provision that provides for an automatic adjustment of recreational hunting and fishing license fees every 5 years; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a saltwater products license; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 448**, on motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 333** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Dean—

CS for CS for CS for HB 333—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02,

F.S.; revising the definition of the term “navigation rules” for purposes of provisions relating to vessels; amending s. 328.72, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; amending s. 379.101, F.S.; revising the definition of the term “resident” or “resident of Florida” for purposes of provisions relating to recreational and nonrecreational activity licenses; providing for certain evidence of residence; revising the definition of the term “resident alien” to remove a county residency requirement; amending s. 379.353, F.S.; exempting specified persons participating in certain outdoor recreational events from requirements for hunting and fishing licenses and permits; amending s. 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a saltwater products license; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 448** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 333** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 642—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions regarding a state license tax involved with the operation of distilleries; providing requirements for craft distilleries under certain conditions; prohibiting the shipment of certain distilled spirits; restricting license transferability and ownership affiliation; providing reporting requirements; providing requirements relating to the payment of taxes; providing for the adoption of rules; amending s. 561.14, F.S.; conforming a cross-reference; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premises; amending s. 567.06; conforming a cross-reference; amending s. 567.07, F.S.; conforming a cross-reference; declaring that the provisions of ss. 565.03 and 561.14, F.S., as amended by this act are not severable; providing a severability clause; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 642**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 347** was withdrawn from the Committees on Regulated Industries; and Appropriations.

On motion by Senator Hays—

CS for CS for HB 347—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions with respect to the licensure and operation of distilleries; providing requirements for craft distilleries; providing for the sale of distilled spirits by licensed distilleries under certain conditions; providing reporting requirements; prohibiting the shipment of certain distilled spirits; prohibiting the transfer of a distillery license under certain conditions; prohibiting a craft distillery from having its ownership affiliated with another distillery under certain conditions; providing requirements relating to the payment of taxes; providing for applicability; providing rulemaking authority; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premise under certain conditions; amending ss. 561.14, 567.06, and 567.07, F.S.; conforming cross-references; providing legislative intent with respect to the severability or nonseverability of specified amendments made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 642** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 347** was placed on the calendar of Bills on Third Reading.

CS for SB 1048—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult en-

tertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1048**, on motion by Senator Gardiner, by two-thirds vote **CS for CS for CS for HB 701** was withdrawn from the Committees on Regulated Industries; Children, Families, and Elder Affairs; and Appropriations.

On motion by Senator Gardiner—

CS for CS for CS for HB 701—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; proving enforcement authority to the department; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285, F.S.; providing an effective date.

—a companion measure, was substituted for **CS for SB 1048** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 701** was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1110—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; requiring the Governor to appoint one or more persons as special officers for a railroad or other common carrier under certain circumstances; authorizing the railroad or common carrier to temporarily employ a person as a special officer; requiring the special officer to have the same training as a law enforcement officer; providing that a Class I, Class II, or Class III railroad is considered an “employing agency” for purposes of ss. 943.13 and 943.135(1), F.S.; providing responsibility of certain costs; amending s. 784.07, F.S.; defining the term “railroad special officer”; providing for reclassification of certain offenses committed against a railroad special officer; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1110**, on motion by Senator Evers, by two-thirds vote **CS for CS for CS for HB 489** was withdrawn from the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Evers—

CS for CS for CS for HB 489—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; authorizing the temporary appointment of special officers who meet certain qualifications; requiring special officers employed by a railroad or other common carrier to have specified qualifications and meet specified continuing training or education requirements; providing that a Class I, Class II, or Class III railroad shall be considered an employing agency for specified purposes and shall pay costs associated with training and continuing education; amending s. 784.07, F.S.; defining the term “railroad special officer”; providing for reclassification of certain offenses committed against a railroad special officer; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1110** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 489** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 1372—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court

may consider when ordering pretrial detention; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (367648) (with title amendment)—Between lines 78 and 79 insert:

Section 2. Paragraph (m) is added to subsection (2) of section 903.046, Florida Statutes, to read:

903.046 Purpose of and criteria for bail determination.—

(2) When determining whether to release a defendant on bail or other conditions, and what that bail or those conditions may be, the court shall consider:

(m) *Whether the defendant, other than a defendant whose only criminal charge is a misdemeanor offense under chapter 316, is required to register as a sexual offender under s. 943.0435 or a sexual predator under s. 775.21; and, if so, he or she is not eligible for release on bail or surety bond until the first appearance on the case in order to ensure the full participation of the prosecutor and the protection of the public.*

And the title is amended as follows:

Delete line 5 and insert: amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1372** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for SB 1420—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert's competency evaluation report; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1420** was placed on the calendar of Bills on Third Reading.

CS for SB 1464—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising the definition of the term "reasonable offset for use"; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking recertification of a procedure or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1464**, on motion by Senator Lee, by two-thirds vote **CS for CS for HB 1147** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Lee—

CS for CS for HB 1147—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising a definition; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking renewal of certification or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—a companion measure, was substituted for **CS for SB 1464** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1147** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1468** was deferred.

On motion by Senator Legg—

CS for CS for SB 1664—A bill to be entitled An act relating to education; amending s. 1004.04, F.S.; revising legislative intent; revising the requirements of State Board of Education rule for uniform core curricula for state-approved teacher preparation programs; revising the process for initial approval of state-approved teacher preparation programs; revising the requirements for continued approval of state-approved teacher preparation programs; requiring the State Board of Education to adopt rules for continued approval of teacher preparation programs; requiring the Commissioner of Education to determine the continued approval of each program; providing requirements for a report that certain public and private institutions prepare regarding their teacher preparation programs; requiring the Department of Education to report to the Governor, the Legislature, the State Board of Education, the Board of Governors, the Commissioner of Education, each Florida postsecondary teacher preparation program, each district school superintendent, and the public the results of each approved program's annual progress and the current approval status of each program; revising the requirements for preservice field experience; amending s. 1004.85, F.S.; revising the definition of the term "educator preparation institute"; authorizing a qualified private provider to seek approval to offer a competency-based certification program; revising the criteria for approval of preparation programs; requiring the department to approve a certification program under certain circumstances; revising the requirements for program participants; revising the criteria for continued approval of programs; revising the requirements for personnel that participate in field experiences; providing requirements for measuring student performance in instructional personnel and school administrator performance evaluations; providing requirements for the performance evaluation of personnel for purposes of the performance salary schedule; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-mandated assessments and publish the schedules on its website; requiring reporting of the schedules to the Department of Education; amending s. 1012.05, F.S.; conforming provisions to changes made by the act; amending s. 1012.32, F.S.; conforming cross-references and conforming provisions to changes made by the act; amending s. 1012.55, F.S.; requiring the State Board of Education to adopt rules that allow an individual who meets specified criteria to be eligible for a temporary certificate in education leadership; amending s. 1012.56, F.S.; authorizing the State Board of Education to adopt rules that allow for the acceptance of college course credits recommended by the American Council for Education; revising the acceptable means of demonstrating mastery of professional preparation

and education competence; authorizing a school district to provide a professional development certification program; specifying the components of the program; revising requirements for demonstrating mastery of professional education competence; requiring the Commissioner of Education to determine the continued approval of the programs; requiring the Department of Education to provide a review procedure for an applicant who fails a certification examination; requiring the applicant to bear the actual cost in order for the department to provide an examination review; amending s. 1012.585, F.S.; conforming a cross-reference; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing that the calculation of funds for each teacher includes local contributions; requiring that a teacher's proportionate share of funds be provided by any means determined appropriate, including a debit card; providing requirements for the debit card; authorizing the Department of Education and the district school boards to enter into public-private partnerships; deleting provisions relating to a pilot program established for the 2009-2010 fiscal year; amending s. 1012.98, F.S.; authorizing rather than requiring each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans; providing an effective date.

—was read the second time by title.

Senator Legg moved the following amendments which were adopted:

Amendment 1 (920130)—Delete lines 445-452 and insert:

(a) All *individuals* ~~instructors~~ in postsecondary teacher preparation programs who instruct or supervise preservice field experience courses or internships *in which a candidate demonstrates his or her impact on student learning growth* shall have ~~at least one of the following:~~ *specialized training in clinical supervision; at least 3 years of successful, relevant prekindergarten through grade 12 teaching, student services, or school administration experience; and an annual demonstration of experience in a relevant prekindergarten through grade 12 school setting as defined by State Board of Education rule a valid professional teaching certificate pursuant to ss. 1012.56 and 1012.585; or at least 3 years of successful teaching experience in prekindergarten through grade 12.*

Amendment 2 (301118) (with directory and title amendments)—Delete lines 847-886.

And the directory clause is amended as follows:

Delete lines 823 and 824 and insert:

Section 8. Paragraph (c) of subsection (2), subsection (8), and paragraph (d) of subsection (9) of section 1012.56,

And the title is amended as follows:

Delete lines 57-59 and insert: the American Council for Education;

Pursuant to Rule 4.19, **CS for CS for SB 1664** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1750** was deferred.

On motion by Senator Richter—

CS for SB 1412—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise as to the facts at issue in a case under certain circumstances; providing that the elements necessary to allow a witness to testify as an expert witness are satisfied if the principles and methods on which such knowledge is based are generally accepted by the relevant expert community; providing for applicability; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1412**, on motion by Senator Richter, by two-thirds vote **HB 7015** was withdrawn from the Committees on Judiciary; and Rules.

On motion by Senator Richter—

HB 7015—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

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

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Negron, Benacquisto, and Galvano offered the following amendment which was moved by Senator Negron and adopted:

Amendment 1 (768244) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 90.702, Florida Statutes, is amended to read:

90.702 Testimony by experts.—If scientific, technical, or other specialized knowledge will assist the trier of fact in understanding the evidence or in determining a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify about it in the form of an opinion or otherwise, if:

(1) *The testimony is based upon sufficient facts or data;*

(2) *The testimony is the product of reliable principles and methods; and*

(3) *The witness has applied the principles and methods reliably to the facts of the case; however, the opinion is admissible only if it can be applied to evidence at trial.*

Section 2. Section 90.704, Florida Statutes, is amended to read:

90.704 Basis of opinion testimony by experts.—The facts or data upon which an expert bases an opinion or inference may be those perceived by, or made known to, the expert at or before the trial. If the facts or data are of a type reasonably relied upon by experts in the subject to support the opinion expressed, the facts or data need not be admissible in evidence. *Facts or data that are otherwise inadmissible may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that their probative value in assisting the jury to evaluate the expert's opinion substantially outweighs their prejudicial effect.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the

expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

Pursuant to Rule 4.19, **HB 7015** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

CS for CS for SB 1150—A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; providing an exception; authorizing the Department of Financial to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.056, F.S.; deleting provisions requiring certain inclusions in agency agreements; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term "performance measure"; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management

Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title.

Senator Brandes moved the following amendments which were adopted:

Amendment 1 (876014)—Delete lines 222-227 and insert: *agree to a longer review period.*

Amendment 2 (422828)—Between lines 227 and 228 insert:

(c) This subsection does not apply to the Board of Governors, a state university, or a facility engaged in research using state or federal funds until July 1, 2015.

Senator Benacquisto moved the following amendments which were adopted:

Amendment 3 (321386)—Delete lines 234-237 and insert:

(a) Each grant manager responsible for agreements in excess of \$100,000 annually must complete the training and become a certified contract manager as provided under s. 287.057(14).

Amendment 4 (571012) (with title amendment)—Delete lines 615-633.

And the title is amended as follows:

Delete lines 46-48 and insert: *used by multiple agencies; amending s. 287.057, F.S.;*

Senator Brandes moved the following amendment which was adopted:

Amendment 5 (969568)—Delete lines 1102-1107 and insert: *contract may agree to a longer review period.*

Pursuant to Rule 4.19, **CS for CS for SB 1150** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR RICHTER PRESIDING

CS for SB 474—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public records requirements for any identifying information of a donor or prospective donor to the direct-support organization of the Department of Veterans' Affairs, and an exemption from public meetings requirements for portions of meetings at which the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing superfluous language; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 474**, on motion by Senator Altman, by two-thirds vote **HB 7143** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Altman—

HB 7143—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public record and public meeting requirements for information identifying certain donors to the direct-support organization for the Department of Veterans' Affairs; removing superfluous language; specifying that the public meeting exemption applies to those portions of meetings wherein the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 474** and read the second time by title.

Pursuant to Rule 4.19, **HB 7143** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

CS for CS for SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

—was read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (511646) (with title amendment)—Delete line 377 and insert: *accepting partial rent for the period. If partial rent is received after posting the notice for non-payment, the landlord must:*

1. *Provide the tenant with a receipt stating the date and amount received and the agreed upon date and balance of rent due before filing an action for possession; or*
2. *Place the amount of partial rent received from the tenant in the registry of the court upon filing the action for possession; or*
3. *Post a new 3-day notice reflecting the new amount due.*

And the title is amended as follows:

Delete line 30 and insert: *by accepting partial rent, subject to certain notice; requiring the landlord to follow specified procedures if the landlord receives partial rent after posting the 3-day notice;*

Pursuant to Rule 4.19, **CS for CS for SB 490** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 536—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing physical therapists to implement physical therapy treatment plans of a specified duration which are provided by advanced registered nurse practitioners; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 536**, on motion by Senator Detert, by two-thirds vote **CS for HB 413** was withdrawn from the Committees on Health Policy; Banking and Insurance; and Rules.

On motion by Senator Detert—

CS for HB 413—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing a physical therapist to implement physical therapy treatment plans of a specified duration which are developed by the physical therapist or provided by a practitioner of record or an advanced registered nurse practitioner; providing an effective date.

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

Pursuant to Rule 4.19, **CS for HB 413** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for SB 634—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising provisions relating to the operation of radios or other soundmaking devices in vehicles; deleting a standard for determining prohibited sound levels; deleting an exception for vehicles operated for business or political purposes; authorizing local authorities to regulate the place where such soundmaking devices may be operated; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 634** was placed on the calendar of Bills on Third Reading.

CS for SB 714—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information held by an electric utility that is subject to ch. 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the retention of such information for a specified time; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 714**, on motion by Senator Simmons, by two-thirds vote **CS for HB 649** was withdrawn from the Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

On motion by Senator Simmons—

CS for HB 649—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information held by an electric utility that is subject to chapter 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the retention of such information for a specified time; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 714** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 649** was placed on the calendar of Bills on Third Reading.

CS for SB 716—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military service member or the member's spouse or child in certain circumstances; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 716** to **CS for CS for HB 1223**.

Pending further consideration of **CS for SB 716** as amended, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 1223** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Judiciary.

On motion by Senator Simpson, by two-thirds vote—

CS for CS for HB 1223—A bill to be entitled An act relating to deceptive and unfair trade practices; reordering and amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military servicemember or the servicemember's spouse or dependent child in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 716** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1223** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for CS for SB 726** was deferred.

On motion by Senator Garcia—

CS for SB 824—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term “forensic behavioral health evaluation”; providing a statement of public necessity, applicability, and construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 824** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for SB 834—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term “proprietary business information”; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (355042)—Delete lines 54-56 and insert:

6. *The actuarial opinion summary required under ss. 624.424(1)(b) and 625.121(3) and the documents, materials, and other information related thereto.*

Pursuant to Rule 4.19, **CS for SB 834** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Soto—

SB 986—A bill to be entitled An act relating to requirements for driver licenses; amending s. 322.08, F.S.; including notice of the approval of an application for Deferred Action for Childhood Arrivals status issued by the United States Citizenship and Immigration Services as valid proof of identity for purposes of applying for a driver license; reenacting ss. 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4), F.S., relating to conditions and limitations with respect to obtaining a duplicate or replace-

ment instruction permit or driver license, expiration of and renewal of a driver license, and change of name or address on a driver license for licensees who establish their identity in a specified manner, to incorporate the amendments made by the act to s. 322.08, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 986** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1016** was deferred.

On motion by Senator Gardiner—

SB 1852—A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing an appropriation from the Local Government Housing Trust Fund and the State Housing Trust Fund to the Department of Economic Opportunity for specified purposes; providing appropriations from the General Revenue Fund to the State Court System for specified purposes; providing appropriations from the General Revenue Fund to the Department of Legal Affairs, Office of the Attorney General, for specified purposes and providing legislative findings; providing that the appropriations of this act are contingent upon the deposit of a specified sum into the state treasury as a result of a specified consent judgment; providing an effective date.

—was read the second time by title.

Senator Gardiner moved the following amendment:

Amendment 1 (754392) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Notwithstanding the funding match provisions in s. 1009.984(2), Florida Statutes, the nonrecurring sum of \$9,117,895 is appropriated from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program as established in s. 1009.984, Florida Statutes, in order for Take Stock in Children, Inc., to purchase 2-year dormitory residence advance payment contracts for eligible students who are in grades 10 and 11 during the 2012-2013 school year and have been selected to participate in the scholarship program.*

Section 2. *The nonrecurring sum of \$5,262,579 is appropriated from the General Revenue Fund to the state courts system to provide technology solutions that expedite foreclosure cases through the judicial process. Such technology solutions must enable judges and staff to effectively use electronic documents when disposing of foreclosure cases, produce orders electronically, provide for electronic calendaring, serve orders electronically, and generate case management reports. All technology enhancements to expedite mortgage foreclosure cases must be completed in accordance with the standards set by the Florida Court Technology Commission regarding functionality as outlined in the Case Processing Application Standards.*

Section 3. *The nonrecurring sum of \$16 million is appropriated from the General Revenue Fund to the state courts system to provide supplemental resources, including, but not limited to, additional senior judge days and temporary case management staff in the trial courts to reduce the backlog of pending foreclosure cases.*

Section 4. *The nonrecurring sum of \$9.7 million is appropriated from the General Revenue Fund to the clerks of the court to enhance levels of service to assist and support the courts in expediting the processing of backlogged foreclosure cases.*

Section 5. *The nonrecurring sum of \$10 million is appropriated from the General Revenue Fund to the Office of the Attorney General, who must contract directly with regional legal aid service providers to provide legal aid services to low-income and moderate-income homeowners facing foreclosure. Administrative costs or fees may not be collected or used by the Office of the Attorney General, any association, or any foundation for providing services with the funds appropriated in this section.*

Section 6. *The nonrecurring sum of \$10 million is appropriated from the General Revenue Fund in a fixed capital outlay appropriation category to the Department of Children and Families for capital improvement*

grants to certified domestic violence centers in accordance with s. 39.9055, Florida Statutes. The Florida Coalition Against Domestic Violence shall serve as the lead entity to create a competitive request for proposals with the primary focus of increasing bed space and expanding capacity of emergency shelter services. Award decisions shall be completed within 60 days after the effective date of this act.

Section 7. (1) The nonrecurring sum of \$20 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity to provide a grant to Habitat for Humanity of Florida for the acquisition and rehabilitation or reconstruction of existing housing stock to provide affordable housing to low-income applicants. Habitat for Humanity of Florida may use up to 1 percent of the grant award for direct administrative costs.

(2) Habitat for Humanity of Florida shall provide compliance and oversight for the grant award and shall:

(a) Provide to the Department of Economic Opportunity the name and contact information for the Habitat for Humanity of Florida compliance officer, to be updated within 10 business days after any change.

(b) Develop a request for proposals to be released to the 58 Habitat for Humanity of Florida affiliates no later than 60 days after the effective date of this act. The request for proposals shall be limited to projects that undertake the acquisition and rehabilitation or reconstruction of existing housing stock and provide affordable housing to low-income applicants.

(c) Use the grant award within 2 years, the start date of which is 30 days after the request for proposals is released to the 58 Habitat for Humanity of Florida affiliates.

(d) Provide the 58 Habitat for Humanity of Florida affiliates a minimum of 30 days to respond to the request for proposals.

(e) Establish a volunteer committee of at least six members from any of the 58 Habitat for Humanity of Florida affiliates to evaluate and rank project proposals received and determine project awards based on that evaluation and ranking.

1. Project awards shall be provided on a cost-reimbursement basis for work completed and paid for by the Habitat for Humanity of Florida affiliate for a qualifying home that was acquired and rehabilitated or reconstructed for a low-income applicant.

2. The Habitat for Humanity of Florida compliance officer is responsible for verifying that all project work is completed and has been paid for by the Habitat for Humanity of Florida affiliate before a cost reimbursement.

3. A Habitat for Humanity of Florida affiliate may not receive cost reimbursements in excess of 10 percent of the total appropriation, except that an affiliate may receive cost reimbursements in excess of 10 percent during the second year if the only project proposals remaining are from Habitat for Humanity of Florida affiliates that have reached the 10-percent cap.

(f) Provide technical support and assistance for the use of grant award funds by the Habitat for Humanity of Florida affiliates, which shall not exceed 2 percent of the grant award.

(g) Submit a quarterly progress report to the Department of Economic Opportunity within 30 days after the end of each quarter until all grant award funds have been expended. The quarterly progress report shall include, but need not be limited to:

1. Events occurring during the quarter, or anticipated to occur in the near future, which affect the ability of Habitat for Humanity of Florida to use the grant award for the intended purpose pursuant to this section.

2. Action plans for addressing any policy and administrative issues.

3. Habitat for Humanity of Florida efforts related to collecting and verifying data.

4. Data collected and verified, such as the number of existing housing stock acquired and rehabilitated or reconstructed for the quarter and to date, the number of requests for proposals received, and income data on applicants who are using the provided housing.

5. Grant award data disaggregated by recipient and activity, such as technical support and assistance, direct administrative costs, housing acquisition, and housing rehabilitation or reconstruction.

6. Activities related to technical support and assistance.

7. The name of each volunteer committee member and his or her Habitat for Humanity of Florida affiliate.

8. Progress toward meeting the goal of spending the full grant award within 2 years, the start date of which is 30 days after the request for proposals is released to the 58 Habitat for Humanity of Florida affiliates.

(h) Submit annually by September 1 to the Department of Economic Opportunity a financial audit performed by an independent certified public accountant for the most recently completed fiscal year which establishes that no material weaknesses or instances of material non-compliance exist.

(3) The Department of Economic Opportunity shall submit a copy of each financial audit from Habitat for Humanity of Florida to the President of the Senate and the Speaker of the House of Representatives within 15 days after its receipt.

(4) Any funds that are not expended or encumbered by June 30, 2015, and any funds that were deemed encumbered on June 30, 2015, and not expended by September 30, 2015, shall be repaid by Habitat for Humanity of Florida to the Department of Financial Services for deposit into the State Housing Trust Fund within the Department of Economic Opportunity. A final audit shall be submitted to the Department of Economic Opportunity by January 30, 2016, for any expenditures made after June 30, 2015.

Section 8. The nonrecurring sum of \$50 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity for transfer to the Florida Housing Finance Corporation (FHFC) to provide funding to reduce rents on new or existing rental units through the State Apartment Incentive Loan Program created under s. 420.5087, Florida Statutes. Notwithstanding s. 420.5087, Florida Statutes, \$25 million of these funds shall be reserved for rental units for the elderly as defined in s. 420.0004, Florida Statutes, and \$25 million shall be reserved for rental units for extremely-low-income persons as defined in s. 420.0004, Florida Statutes.

Section 9. (1) The nonrecurring sum of \$10 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity for transfer to the Florida Housing Finance Corporation (FHFC) to fund the construction or rehabilitation of units through the State Apartment Incentive Loan Program (SAIL).

(2) Each SAIL development that receives funds under this section must include up to 25 percent, but not less than 10 percent, of its units designed, constructed, and targeted for persons with developmental disabilities as defined in s. 393.063, Florida Statutes. Each development shall be required to enter into an agreement with at least one designated supportive services lead agency, such as the local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by FHFC, for the purpose of coordinating services and housing for persons with disabilities.

Section 10. (1) The nonrecurring sum of \$40 million is appropriated from the General Revenue Trust Fund to the Department of Economic Opportunity for transfer to the Florida Housing Finance Corporation (FHFC) to fund the State Housing Initiative Program (SHIP). The FHFC shall allocate the funding to all eligible counties and cities. Except as otherwise specified in this section, local governments must use this funding according to the SHIP statute and rules and within the parameters of their adopted local housing assistance plan.

(2) All funding appropriated under this section must be targeted for one or more of the following strategies:

(a) Rehabilitating or modifying owner-occupied houses, including blighted homes or neighborhoods.

(b) Assisting with purchases of existing housing, with or without rehabilitation.

(c) Providing housing counseling services.

(d) *Providing lease-purchase assistance.*

(e) *Implementing strategies approved by FHFC which are related to assisting households and communities impacted by foreclosures, using existing housing stock.*

(3) *Of the funding provided in this section, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in s. 420.0004, Florida Statutes. Before this portion of the allocation is released by FHFC, a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special needs funds must be to use them for persons with developmental disabilities as defined in s. 393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.*

(4) *Local governments may not use more than 3 percent of their allocations under this section for administrative costs.*

Section 11. *The nonrecurring sum of \$10 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity for transfer to the Florida Housing Finance Corporation (FHFC) to fund a competitive grant program to provide housing for homeless persons. The FHFC shall award funds on a competitive basis to private nonprofit organizations to purchase and renovate existing houses and to construct small specialty housing of 15 units or fewer for homeless individuals or families, with priority given to extremely-low-income households.*

Section 12. *The nonrecurring sum of \$10 million is appropriated from the General Revenue Fund to the Department of Economic Opportunity for transfer to the Florida Housing Finance Corporation (FHFC) to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in s. 393.063, Florida Statutes. Private nonprofit organizations whose primary mission includes serving persons with developmental disabilities as defined in s. 393.063, Florida Statutes, shall be eligible for these grant funds. Housing projects funded with these grants may include community residential homes as defined in s. 419.001, Florida Statutes, or individual housing units, and may include new construction and renovation of existing housing units. In evaluating proposals for these funds, the FHFC shall consider: the extent to which funds from local and other sources will be used by the applicant to leverage the grant funds provided under this section; employment opportunities and supports that will be available to residents of the proposed housing; a plan for residents to effectively and efficiently access community-based services, resources, and amenities; and partnerships with other supportive services agencies.*

Section 13. *Except as otherwise provided in section 7 of this act, notwithstanding s. 216.301, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, entities to which funds are appropriated pursuant to this act may expend such funds through the 2014-2015 fiscal year. Any funds that are encumbered by June 30, 2015, must be disbursed by September 30, 2015. On September 30, 2015, any funds that remain undisbursed must be transferred to the State Housing Trust Fund within the Department of Economic Opportunity.*

Section 14. This act shall take effect upon the deposit of \$200,080,474 into the General Revenue Fund from the escrow account created as a result of the consent judgment entered into by the Attorney General on April 4, 2012, in the case of *United States of America, et al. v. Bank of America Corp., et al.*, No. 12-0361-RMC, in the United States District Court for the District of Columbia.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing an appropriation from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program to purchase 2-year dormitory residence advance payment contracts for certain students; providing an appropriation from the General Revenue Fund to the state courts system to provide technology solutions to expedite foreclosure cases through the judicial process; providing an appropriation from the General Revenue Fund to the state courts system to provide certain

supplemental resources; providing an appropriation from the General Revenue Fund to the clerks of the court to assist and support the courts in expediting the processing of backlogged foreclosure cases; providing an appropriation from the General Revenue Fund to the Office of the Attorney General to provide legal aid services to low- and moderate-income homeowners facing foreclosure; providing an appropriation from the General Revenue Fund to the Department of Children and Families to fund capital improvement grants for certified domestic violence centers; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity to provide a grant to Habitat for Humanity of Florida for certain purposes; providing requirements for Habitat for Humanity of Florida; providing financial audit reporting requirements; requiring certain funds to be repaid by Habitat for Humanity of Florida to the Department of Financial Services for deposit into the State Housing Trust Fund; providing an appropriation from the General Revenue Fund to the Florida Housing Finance Corporation to provide funding to reduce rents on new or existing rental units through the State Apartment Incentive Loan Program; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity for specified purposes; providing requirements for the expenditure, disbursement, and transfer to the State Housing Trust Fund of certain appropriated funds; providing a contingent effective date.

Senator Soto moved the following substitute amendment which failed:

Amendment 2 (290824) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. (1) *The nonrecurring sum of \$58,080,474 is appropriated from the Local Government Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation (FHFC) to fund the State Housing Initiative Program (SHIP). The FHFC shall allocate the funding to all eligible counties and cities. Except as otherwise specified in this section, local governments must use this funding according to the SHIP statute and rules and within the parameters of their adopted local housing assistance plan.*

(2) *All funding appropriated in this section must be used for the following strategies that assist households and communities that have been affected by foreclosures, using existing housing stock:*

(a) *Approximately \$28 million must be used in assisting with purchases of existing housing, with or without rehabilitation.*

(b) *Approximately \$20 million must be used toward rental deposit assistance for homeowners who have lost their home in foreclosure.*

(c) *Approximately \$10 million must be used toward providing rental deposit assistance for seniors who have lost their home due to foreclosure.*

(3) *Of the funding provided in this section, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in s. 420.0004, Florida Statutes. Before this portion of the allocation is released by FHFC, a local government must submit an existing or new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special needs funds must be to use them for persons with developmental, hearing, visual, or mobility disabilities, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.*

(4) *Local governments may not use more than 3 percent of their allocations under this section for administrative costs.*

Section 2. *The nonrecurring sum of \$10 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation to fund the rehabilitation and preservation of public housing units provided under chapter 421 and to specifically target the units of low-income and very-low-income persons affected by foreclosure for upgrades and improvements. The funding must be administered as a grant program.*

Section 3. (1) *The nonrecurring sum of \$40 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing*

Finance Corporation (FHFC) to fund the State Apartment Incentive Loan Program (SAIL). This appropriation must be spent over the next 3 years for administrative expenses associated with implementing this act, as follows: \$16.67 million in each of the first two years and \$16.66 million in the third year.

(2) Each SAIL development that receives funds under this section must include up to 15 percent but not less than 5 percent of its units designed, constructed, and targeted for individuals with developmental, hearing, visual, or mobility disabilities. Each development shall be required to enter into agreements with the local Center for Independent Living, Agency for Persons with Disabilities, or other such agency approved by FHFC, for the purpose of coordinating services and housing for individuals with disabilities.

(3) Affordable housing units in each development which are in addition to those required under subsection (2) shall provide reduced-rent units to serve tenants who are elderly, as defined in s. 420.0004, Florida Statutes, and tenants who are extremely-low-income persons (ELI), as defined in s. 420.0004, Florida Statutes. To the extent possible, ELI units should be part of FHFC's existing Link Initiative in which developers set aside units for special needs households, including households with persons affected by foreclosure, persons with disabilities, homeless families, youth aging out of foster care, frail elders, and survivors of domestic violence who are receiving community-based supportive services and who are referred by a supportive services agency in the community where the property is located.

Section 4. The nonrecurring sum of \$9 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation. This appropriation must be spent in annual \$3 million increments over the next 3 years for administrative expenses associated with implementing this act.

Section 5. The nonrecurring sum of \$12 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation for the Florida Hardest-Hit Fund. This appropriation must be spent in annual \$4 million increments over the next 3 years for administrative expenses associated with implementing this section.

Section 6. The nonrecurring sum of \$15 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation (FHFC) to fund a competitive grant program to provide housing for homeless persons affected by the foreclosure crisis. The FHFC shall award funds on a competitive basis to private nonprofit organizations to purchase and renovate existing houses to be used by extremely-low-income homeless persons who have been affected by the foreclosure crisis. Funds may also be awarded to private nonprofit organizations to construct small specialty housing of 10 units or fewer for homeless families affected by the foreclosure crisis. This appropriation must be spent in annual \$5 million increments over the next 3 years for administrative expenses associated with implementing this section.

Section 7. The nonrecurring sum of \$18 million is appropriated from the State Housing Trust Fund to the Department of Economic Opportunity for the 2013-2014 fiscal year for transfer to the Florida Housing Finance Corporation for foreclosure counseling programs. This appropriation must be spent in annual \$6 million increments over the next 3 years.

Section 8. The nonrecurring sum of \$36 million is appropriated from the General Revenue Fund to the Department of Legal Affairs, Office of the Attorney General, for the 2013-2014 fiscal year to contract with regional legal aid service providers to provide legal aid services to low-income and moderate-income homeowners facing foreclosure. Administrative costs or fees may not be collected or used by the Office of the Attorney General, any association, or any foundation for providing such services with the funds appropriated in this section. This appropriation must be spent in annual \$12 million increments over the next 3 years.

Section 9. The Legislature finds that there is a need for a promotional campaign to increase consumer awareness of affordable housing availability and housing assistance opportunities as outlined in this act. To this end, the Office of the Attorney General may establish, coordinate, and promote such an advertising campaign, which may include public rela-

tions activities and contracting with media representatives for the purpose of dispersing promotional materials and providing opportunities for consumer assistance. The nonrecurring sum of \$2 million is appropriated from the General Revenue Fund to the Department of Legal Affairs, Office of the Attorney General, for the 2013-2014 fiscal year for this purpose.

Section 10. The appropriations in this act are contingent upon the deposit of \$200,080,474 into the state treasury from the escrow account created as a result of the consent judgment entered into by the Florida Attorney General on April 4, 2012, in the case of *United States of America v. Bank of America Corp.*, No. 305 12-0361-RMC, in the United States District Court for the District of Columbia. Of the \$200,080,474, the following amounts shall be deposited into the specified funds in the state treasury: \$58,080,474 shall be deposited into the Local Government Housing Trust Fund in the Department of Economic Opportunity; \$104 million shall be deposited into the State Housing Trust Fund in the Department of Economic Opportunity; and \$38 million shall be deposited into the General Revenue Fund.

Section 11. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing appropriations from the Local Government Housing Trust Fund and the State Housing Trust Fund to the Department of Economic Opportunity for specified purposes; providing appropriations from the General Revenue Fund to the Department of Legal Affairs, Office of the Attorney General, for specified purposes and providing legislative findings; providing that the appropriations of this act are contingent upon the deposit of a specified sum into the state treasury as a result of a specified consent judgment; providing an effective date.

The question recurred on **Amendment 1 (754392)** which was adopted.

Pursuant to Rule 4.19, **SB 1852** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1098** was deferred.

On motion by Senator Simpson—

CS for CS for CS for SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; requiring fire officials to enforce Florida Building Code provisions for occupancy separation for certain structures with certain occupancies; exempting certain farming and ranching structures from the code; providing an effective date.

—was read the second time by title.

Senator Simpson moved the following amendment which was adopted:

Amendment 1 (707108)—Delete line 23 and insert: *or ranching operation, in which the occupancy is limited by the property owner to no*

Pursuant to Rule 4.19, **CS for CS for CS for SB 1122** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 1172—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the per-

fection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1172** to **CS for CS for HB 229**.

Pending further consideration of **CS for SB 1172** as amended, on motion by Senator Simmons, by two-thirds vote **CS for CS for HB 229** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Simmons—

CS for CS for HB 229—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—a companion measure, was substituted for **CS for SB 1172** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 229** was placed on the calendar of Bills on Third Reading.

CS for SB 1126—A bill to be entitled An act relating to the unlawful possession of the personal identification information of another person; creating s. 817.5685, F.S.; defining the term “personal identification information”; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; creating criminal penalties; providing that possession of identification information of multiple individuals gives rise to an inference of illegality; providing that certain specified persons are exempt from provisions regarding the unlawful possession of personal identification information of another person; creating affirmative defenses; providing that the act does not preclude prosecution for

the unlawful possession of personal identification information of another person under any other law; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1126**, on motion by Senator Joyner, by two-thirds vote **CS for CS for HB 691** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Joyner—

CS for CS for HB 691—A bill to be entitled An act relating to personal identification theft; creating s. 817.5685, F.S.; defining the term “personal identification information”; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; providing criminal penalties; providing that possession of identification information of multiple individuals gives rise to an inference of illegality; providing enhanced criminal penalties for possession of such information of multiple persons; providing exemptions; providing that the section does not preclude the prosecution for the unlawful possession of personal identification information of another person under any other law; providing an effective date.

—a companion measure, was substituted for **CS for SB 1126** and read the second time by title.

Senator Joyner moved the following amendment which was adopted:

Amendment 1 (808408) (with title amendment)—Between lines 71 and 72 insert:

(5) *It is an affirmative defense to an alleged violation of subsection (2) if the person who possesses the personal identification information of another person:*

(a) *Did so under the reasonable belief that such possession was authorized by law or by the consent of the other person; or*

(b) *Obtained that personal identification information from a forum or resource that is open or available to the general public or from a public record.*

And the title is amended as follows:

Delete line 13 and insert: exemptions; creating affirmative defenses; providing that the act does not

Pursuant to Rule 4.19, **CS for CS for HB 691** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency's guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1594** was placed on the calendar of Bills on Third Reading.

CS for SB 1166—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1166** to **CS for HB 903**.

Pending further consideration of **CS for SB 1166** as amended, on motion by Senator Bradley, by two-thirds vote **CS for HB 903** was withdrawn from the Committee on Judiciary.

On motion by Senator Bradley, the rules were waived and by two-thirds vote—

CS for HB 903—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; amending s. 197.3335, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1166** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 903** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for CS for SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 101.151, F.S.; clarifying when the office title “Clerk of the Circuit Court and Comptroller” may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange, unless the property record card is available online from the property appraiser; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; amending s. 985.045, F.S.; providing that the office of the public defender shall have access to certain juvenile records before an appointment of representation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 556** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for CS for CS for SB 726—A bill to be entitled An act relating to the regulation of family or medical leave benefits for employees; providing definitions; prohibiting a political subdivision from requiring or otherwise regulating family or medical leave benefits for employees; preempting regulation of family or medical leave benefits to the state; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a political subdivision from establishing family or medical leave benefits for its employees; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring family or medical leave benefits under certain conditions; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for CS for SB 726**, on motion by Senator Simmons, by two-thirds vote **CS for HB 655** was withdrawn from the Committees on Community Affairs; Health Policy; Judiciary; and Appropriations.

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

CS for HB 655—A bill to be entitled An act relating to political subdivisions; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming provisions to constitutional requirements relating to the state minimum wage; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for CS for SB 726** and read the second time by title.

THE PRESIDENT PRESIDING

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment:

Amendment 1 (823160) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 218.077, Florida Statutes, is amended to read:

218.077 ~~Minimum~~ *Wage and employment benefits* requirements by political subdivisions; restrictions.—

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

(a) “Employee” means any natural person who is entitled under *state* or federal law to receive a *state* or federal minimum wage.

(b) “Employer” means any person who is required under *state* or federal law to pay a *state* or federal minimum wage to the person’s employees.

(c) “Employer contracting to provide goods or services for the political subdivision” means a person contracting with the political subdivision to provide goods or services to, for the benefit of, or on behalf of, the political subdivision in exchange for valuable consideration, and includes a person leasing or subleasing real property owned by the political subdivision.

(d) “*Employment benefits*” means anything of value that an employee may receive from an employer in addition to wages and salary. The term includes, but is not limited to, health benefits; disability benefits; death benefits; group accidental death and dismemberment benefits; paid or unpaid days off for holidays, sick leave, vacation, and personal necessity; retirement benefits; and profit-sharing benefits.

(e)(~~h~~) “Federal minimum wage” means a minimum wage required under federal law, including the federal Fair Labor Standards Act of 1938, as amended, 29 U.S.C. ss. 201 et seq.

(f)(~~e~~) “Political subdivision” means a county, municipality, department, commission, district, board, or other public body, whether corporate or otherwise, created by or under state law.

(g)(~~f~~) “Wage” means that compensation for employment to which any state or federal minimum wage applies.

(2) Except as otherwise provided in subsection (3), a political subdivision may not establish, mandate, or otherwise require an employer to pay a minimum wage, other than a state or federal minimum wage, or to apply a state or federal minimum wage to wages exempt from a state or federal minimum wage, or to provide employment benefits not otherwise required by state or federal law.

(3) This section does not:

(a) Limit the authority of a political subdivision to establish a minimum wage other than a state or federal minimum wage or to provide employment benefits not otherwise required under state or federal law:

1.(~~a~~) For the employees of the political subdivision;

2.(~~b~~) For the employees of an employer contracting to provide goods or services for the political subdivision, or for the employees of a subcontractor of such an employer, under the terms of a contract with the political subdivision; or

3.(~~c~~) For the employees of an employer receiving a direct tax abatement or subsidy from the political subdivision, as a condition of the direct tax abatement or subsidy.

(b) Apply to a domestic or sexual violence ordinance, order, rule, or policy adopted by a political subdivision.

(4) If it is determined by the officer or agency responsible for distributing federal funds to a political subdivision that compliance with this act would prevent receipt of those federal funds, or would otherwise be inconsistent with federal requirements pertaining to such funds, then this act ~~shall~~ not apply, but only to the extent necessary to allow receipt of the federal funds or to eliminate the inconsistency with such federal requirements.

(5)(a) *There is created the Employer-Sponsored Benefits Study Task Force. Workforce Florida, Inc., shall provide administrative and staff support services relating to the functions of the task force. The task force shall organize by September 1, 2013. The task force shall be composed of 11 members. The President of Workforce Florida, Inc., shall serve as a member and chair of the task force. The Speaker of the House of Representatives shall appoint one member who is an economist with a background in business economics. The President of the Senate shall appoint one member who is a physician licensed under chapter 458 or chapter 459 with at least 5 years of experience in the active practice of medicine. In addition, the President of the Senate and the Speaker of the House of Representatives shall each appoint four additional members to the task force. The four appointments from the President of the Senate and the four appointments from the Speaker of the House of Representatives must each include:*

1. A member of the Legislature.
2. An owner of a business in this state which employs fewer than 50 people.
3. An owner or representative of a business in this state which employs more than 50 people.
4. A representative of an organization who represents the non-management employees of a business.

(b) *Members of the task force shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061.*

(c) *The purpose of the task force is to analyze employment benefits and the impact of state preemption of the regulation of such benefits. The task*

force shall develop a report that includes its findings and recommendations for legislative action regarding the regulation of employment benefits. The task force shall submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 15, 2014.

(d) *This subsection is repealed June 30, 2014.*

(6) *This section does not prohibit a federally authorized and recognized tribal government from requiring employment benefits for a person employed within a territory over which the tribe has jurisdiction.*

Section 2. *For the 2013-2014 fiscal year, the sum of \$27,050 in non-recurring funds is appropriated from the General Revenue Fund to the Department of Economic Opportunity for Workforce Florida, Inc., for operating the Employer-Sponsored Benefits Study Task Force.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to employment benefits; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming provisions to constitutional requirements relating to the state minimum wage; creating the Employer-Sponsored Benefits Study Task Force; directing Workforce Florida, Inc., to provide administrative and staff support services for the task force; establishing the purpose and composition of the task force; providing for reimbursement for per diem and travel expenses; requiring the task force to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing for future repeal of the task force; providing that the act does not prohibit a federally authorized or recognized tribal government from requiring employment benefits under certain conditions; providing an appropriation; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment to **Amendment 1 (823160)** which was adopted:

Amendment 1A (489206)—Delete line 59 and insert:

(b) *Apply to a domestic violence or sexual abuse ordinance,*

Amendment 1 (823160) as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 655** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

CS for SB 1098—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee’s bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee’s rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate’s rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; ex-

tending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee's deed to be in a specific form; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1098**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 833** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Richter—

CS for CS for HB 833—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee's bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee's rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate's rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee's deed to be in a specific form; providing an effective date.

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

Pursuant to Rule 4.19, **CS for CS for HB 833** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bradley—

CS for SB 522—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts manufacturing biodiesel fuel for internal use from certain reporting, bonding, and licensing requirements applicable to biodiesel manufacturers; amending s. 206.874, F.S.; requiring such entities to file a return and pay a tax on such biodiesel fuel; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 522**, on motion by Senator Bradley, by two-thirds vote **CS for HB 633** was withdrawn from the Committees on Agriculture; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Bradley—

CS for HB 633—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts that manufacture biodiesel fuel from certain reporting, bonding, and licensing requirements; amending s. 206.874, F.S.; requiring municipalities, counties, and school districts that manufacture biodiesel fuel to file certain returns and remit certain taxes; providing an effective date.

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

Pursuant to Rule 4.19, **CS for HB 633** was placed on the calendar of Bills on Third Reading.

CS for SB 404—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 404**, on motion by Senator Stargel, by two-thirds vote **CS for HB 267** was withdrawn from the Committees on Judiciary; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Stargel, by two-thirds vote—

CS for HB 267—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

—a companion measure, was substituted for **CS for SB 404** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 267** was placed on the calendar of Bills on Third Reading.

CS for SB 402—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16,

F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 402**, on motion by Senator Joyner, by two-thirds vote **CS for HB 93** was withdrawn from the Committees on Children, Families, and Elder Affairs; Transportation; Rules; and Appropriations.

On motion by Senator Joyner—

CS for HB 93—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing effective dates.

—a companion measure, was substituted for **CS for SB 402** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 93** was placed on the calendar of Bills on Third Reading.

CS for SB 400—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; providing that it is a third degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a crime if the defendant has previously been convicted of such offense and the information is communicated in writing, or, if the information is communicated orally, the information is corroborated in a specified manner; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 400**, on motion by Senator Dean, by two-thirds vote **CS for HB 611** was withdrawn from the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Dean—

CS for HB 611—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; providing that it is a third degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a crime if the defendant has previously been convicted of this offense and the information, if communicated orally, is corroborated in a specified manner, or was communicated in writing; providing an effective date.

—a companion measure, was substituted for **CS for SB 400** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 611** was placed on the calendar of Bills on Third Reading.

SB 236—A bill to be entitled An act relating to tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting caps on tax refunds for qualified defense contractors and space flight businesses and for qualified target industry businesses; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 236**, on motion by Senator Hukill, by two-thirds vote **HB 4013** was withdrawn from the Committees on Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Hukill—

HB 4013—A bill to be entitled An act relating to tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting caps on tax refunds for qualified defense contractors and space flight businesses and for qualified target industry businesses; providing an effective date.

—a companion measure, was substituted for **SB 236** and read the second time by title.

Pursuant to Rule 4.19, **HB 4013** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 504—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; amending s. 828.27, F.S.; providing for additional uses by certain counties of proceeds of surcharges on animal control or cruelty violations; providing for expiration; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 504**, on motion by Senator Brandes, by two-thirds vote **CS for HB 851** was withdrawn from the Committees on Agriculture; and Criminal Justice.

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

CS for HB 851—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; specifying that a person who owns or has custody or control of any animal and fails to act commits aggravated animal cruelty if certain injuries or death result; creating s. 828.1615, F.S.; prohibiting specific acts relating to dyeing or artificially coloring certain animals; prohibiting persons from selling, offering for sale, or giving away as merchandising premiums specified fowl or rabbits to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; amending s. 828.27, F.S.; providing for additional uses by certain counties of proceeds of surcharges on animal control or cruelty violations; providing for expiration; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

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

Pursuant to Rule 4.19, **CS for HB 851** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 676** and **SB 788** was deferred.

CS for CS for SB 802—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners’ Construction Recovery Fund; amending s. 468.631, F.S.; au-

thorizing the department to transfer certain funds from the Florida Building Code Administrators and Inspectors Board to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 802**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 57** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Appropriations.

On motion by Senator Hays, by two-thirds vote—

CS for CS for HB 57—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners' Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Professional Regulation Trust Fund to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 802** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 57** was placed on the calendar of Bills on Third Reading.

On motion by Senator Abruzzo—

SB 788—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 788**, on motion by Senator Abruzzo, by two-thirds vote **HB 407** was withdrawn from the Committees on Criminal Justice; Community Affairs; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Abruzzo—

HB 407—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal penalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—a companion measure, was substituted for **SB 788** and read the second time by title.

Pursuant to Rule 4.19, **HB 407** was placed on the calendar of Bills on Third Reading.

SB 936—A bill to be entitled An act relating to the Holocaust Victims Assistance Act; amending s. 626.9543, F.S.; revising the short title; broadening the act to include financial claims and assets and other property, and to address the effect of nonpayment of claims or nonreturn of property on victims; deleting a time limitation on insurers for providing certain information to the Department of Financial Services and requiring insurers to provide a report under certain circumstances; revising the content and timing of the annual report to the Legislature; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 936**, on motion by Senator Lee, by two-thirds vote **HB 913** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Lee—

HB 913—A bill to be entitled An act relating to the Holocaust Victims Assistance Act; amending s. 626.9543, F.S.; revising the short title; broadening the act to include financial claims and assets and other property, and to address the effect of nonpayment of claims or nonreturn of property on victims; deleting a time limitation on insurers for providing certain information to the Department of Financial Services and requiring insurers to provide a report under certain circumstances; revising the content and timing of the annual report to the Legislature; providing an effective date.

—a companion measure, was substituted for **SB 936** and read the second time by title.

Pursuant to Rule 4.19, **HB 913** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for SB 938—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term "occupancy"; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—was read the second time by title.

Senator Dean moved the following amendment which was adopted:

Amendment 1 (224816) (with title amendment)—Between lines 12 and 13 insert:

Section 1. This act may be cited as "The Jim Tillman Act."

And the title is amended as follows:

Delete line 3 and insert: providing a short title; amending s. 513.01, F.S.; defining the term

Pursuant to Rule 4.19, **CS for SB 938** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for SB 948—A bill to be entitled An act relating to water supply; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs require the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; providing that the governing board of a water management district shall assist self-suppliers, among others, in meeting water supply demands in a manner that will give priority to encouraging conservation and reducing adverse environmental effects; providing that the governing board of a water management district may contract with

self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; providing that certain planning by the governing board of a water management district must be conducted in coordination and cooperation with the Department of Agriculture and Consumer Services, among other interested parties; requiring that certain agricultural demand projections be based upon the best available data and providing considerations to determine the best available data; requiring certain information if there is a deviation from the data provided by the Department of Agriculture and Consumer Services; authorizing certain users to propose specific projects for inclusion in the list of water supply development project options; removing references to alternative water supply projects; requiring water management districts to assist in developing multijurisdictional approaches to water supply project development jointly with affected self-suppliers in certain areas; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program that includes certain data; providing criteria for development of data; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 948** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1040—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring the collection of the motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 206.45, F.S.; providing for the collection and distribution of the inspection fee on motor fuel; amending s. 493.6101, F.S.; revising the definition of the term “repossession”; amending s. 493.6113, F.S.; requiring licensees to submit proof of recertification training to the Department of Agriculture and Consumer Services; providing that failure to submit proof of firearm recertification training will result in license suspension and nonrenewal; amending s. 493.6116, F.S.; removing a provision that prohibits firearm licensees from sponsoring certain interns; requiring interns to conduct regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; providing criminal penalties for providing fraudulent training certifications; conforming a cross-reference; amending s. 493.6120, F.S.; providing an exception to a penalty provision; amending s. 493.6121, F.S.; conforming a cross-reference; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; providing exemption from registration requirements for certain charitable organizations and sponsors; requiring exempt charitable organizations and sponsors that solicit donations to provide information to the department; providing that the burden of proving an exemption is on the entity claiming the exemption; limiting applicability of the registration exemption; amending s. 496.407, F.S.; providing that a charitable organization or sponsor may submit certain IRS forms and schedules in lieu of a financial report; amending s. 496.409, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by professional fundraising consultants; amending s. 496.410, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements, renewal statements, and reports by professional solicitors; amending s. 496.411, F.S.; deleting provisions that require registered charitable entities, sponsors, or solicitors to display the percentage retained from contributions; amending s. 496.415, F.S.; providing that it is unlawful to knowingly provide a misleading or inaccurate document relating to a solicitation or charitable promotion; providing criminal penalties; amending s. 496.419, F.S.; providing that certain violations constitute an immediate public threat and are grounds for suspending solicitation activities; requiring that the department report only substantiated criminal violations to a prosecuting authority; conforming cross-references; amending s. 501.016, F.S.; reducing the required security amount for health studios; amending s. 501.059, F.S.; prohibiting a person from making certain outbound telephonic sales calls; amending s. 501.603, F.S.; revising the definitions of the terms “commercial telephone solicitation” and “commercial telephone seller”; amending s. 501.604, F.S.; specifying that exemptions apply to telecommunications businesses and businesses that have operated lawfully; making technical and conform-

ing changes; amending s. 501.607, F.S.; deleting the provision requiring commercial telephone salespersons to provide employment history to the department; amending s. 501.608, F.S.; requiring that commercial telephone sellers provide the department with certain documents to aid in determining eligibility for exemptions; requiring each commercial telephone seller operating under an exemption to display or make certain documents available for inspection; providing that failure to obtain or display certain documents is grounds for action against the commercial telephone seller; amending s. 501.611, F.S.; requiring a commercial telephone seller to maintain an active security bond throughout the period of licensure; amending s. 501.615, F.S.; revising the criteria for certain exempt telephonic sales; requiring a commercial telephone seller engaged in activities regulated by ch. 721 to comply with certain disclosure obligations; amending s. 501.617, F.S.; authorizing the department to conduct regulatory inspections of commercial telephone sellers; amending s. 507.03, F.S.; requiring moving brokers to provide the department with contact information for movers with whom they have contracted for services or are affiliated; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term “alternative fuels” for purposes of inspection requirements; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; eliminating the requirement that collected fees be paid into the treasury and distributed into a specified trust fund; conforming provisions; amending s. 525.16, F.S.; requiring entities that sell or distribute certain fuels to meet fuel standards adopted by the department; providing a release of liability for certain entities who supply and blend fuels that meet department standards; amending s. 526.141, F.S.; providing that certain entities are not liable for damages resulting from the incompatible use of motor fuels under certain circumstances; amending s. 527.01, F.S.; providing a definition for the term “license year” as it relates to the sale of petroleum gas; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the renewal procedure for certain licenses; amending s. 531.415, F.S.; conforming a cross-reference; amending s. 531.61, F.S.; exempting certain commercial weights and measures devices from permit requirements; conforming a cross-reference; amending chapter 2009-66, Laws of Florida; extending the expiration date of certain statutes related to commercial weights and measures; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring franchisors to provide notice of the franchise sale on a department promulgated form; amending s. 559.803, F.S.; deleting provisions allowing and requiring sellers of business opportunities to file federal disclosure statements with the department; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; repealing s. 559.807(2), F.S., relating to bonds or securities for business opportunity sellers; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; abrogating the enforcement and rulemaking authority of the Department of Agriculture and Consumer Services; amending s. 559.815, F.S.; conforming a cross-reference; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing for severability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1040**, on motion by Senator Stargel, by two-thirds vote **CS for CS for HB 7023** was withdrawn from the Committees on Commerce and Tourism; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Stargel—

CS for CS for HB 7023—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring collection of a motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 493.6101, F.S.; revising the definition of the term “repossession”; amending s. 493.6113, F.S.; revising firearms recertification training requirements

for specified licenses of the private security, private investigative, and repossession industries; amending s. 493.6116, F.S.; deleting a provision prohibiting specified licensees from sponsoring certain interns; requiring interns to perform regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; amending s. 493.6120, F.S.; providing criminal penalties for a person who knowingly obtains a fraudulent document declaring a licensure applicant to have completed specified training; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; exempting specified organizations and sponsors from filing a registration statement; requiring exempt organizations and sponsors to file specified documents; providing for applicability; amending s. 496.407, F.S.; revising financial reporting requirements; amending s. 496.409, F.S.; revising registration procedures and requirements for professional fundraising consultants; amending s. 496.410, F.S.; revising registration procedures and requirements for professional solicitors; amending s. 496.411, F.S.; revising the information required to be displayed on specified solicitation materials; amending s. 496.415, F.S.; revising a provision prohibiting specified persons from submitting false, misleading, or inaccurate information related to a solicitation or a charitable or sponsor sales promotion; amending s. 496.419, F.S.; revising the responsibility of the Department of Agriculture and Consumer Services to report specified criminal violations; authorizing the department to issue a cease and desist order for specified violations; amending s. 501.016, F.S.; revising the amount of a surety bond, letter of credit, or guaranty agreement furnished to the department by a health studio; amending s. 501.059, F.S.; prohibiting a telephone solicitor from calling certain consumers; amending s. 501.603, F.S.; conforming a cross-reference; revising definitions; amending s. 501.604, F.S.; revising exemptions from specified provisions of the Florida Telemarketing Act; amending s. 501.607, F.S.; revising salesperson application requirements; amending s. 501.608, F.S.; requiring commercial telephone sellers seeking an affidavit of exemption to provide the department with certain information at the department's request; requiring licensees and exempt persons to display certain documentation; authorizing the department to issue a cease and desist order and to order a salesperson to leave an office if the salesperson is unable to properly display or produce a license or a receipt of filing of an affidavit of exemption; amending s. 501.611, F.S.; providing that a surety bond filed with the department by a commercial telephone seller remains in force for a specified period; amending s. 501.615, F.S.; revising the contract requirements and restrictions on telephonic sales by commercial telephone sellers; amending s. 501.617, F.S.; authorizing an enforcing authority to conduct regulatory inspections; amending s. 507.03, F.S.; requiring moving brokers to provide certain information at the request of the department; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term "alternative fuel"; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; deleting a provision requiring certain moneys to be paid into the State Treasury before being deposited into a specified trust fund; amending s. 525.16, F.S.; requiring entities that sell or distribute certain fuels to meet fuel standards adopted by the department; providing a release of liability for certain entities who supply and blend fuels that meet department standards; amending s. 526.141, F.S.; providing that certain entities are not liable for damages resulting from the use of incompatible motor fuels under certain circumstances; amending s. 527.01, F.S.; defining the term "license year" applicable to certain liquefied petroleum gas licenses; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the requirements and procedure for renewal of liquefied petroleum gas licenses; amending s. 531.415, F.S.; revising a provision exempting certain petroleum equipment from specified fees; amending s. 531.61, F.S.; revising a provision exempting certain devices from permitting requirements; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to permits for weights and measures instruments or devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extending the expiration date; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring a specified notice to be filed on a form adopted by the department; amending s. 559.803, F.S.; revising the requirements of the mandatory

written disclosure statement provided to purchasers of business opportunities; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; amending s. 559.807, F.S.; deleting a provision providing for the use of certain securities requirements relating to selling business opportunities; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; deleting a provision authorizing the department to adopt rules; deleting a provision naming the department as an enforcing authority; amending s. 559.815, F.S.; conforming provisions to changes made by the act; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1040** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 7023** was placed on the calendar of Bills on Third Reading.

On motion by Senator Flores—

CS for CS for SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the submission of the report and imposition of the fine; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1094** was placed on the calendar of Bills on Third Reading.

SB 1330—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing an exception; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; creating s. 493.631, F.S.; defining terms; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances; providing procedures and requirements with respect thereto; authorizing the security officer or security agency manager to search the person detained under certain circumstances; providing identification requirements for certain licensed security officers and security agency managers; providing immunity to law enforcement officers, licensed security officers, and licensed security agency managers under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1330**, on motion by Senator Latvala, by two-thirds vote **HB 875** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Latvala—

HB 875—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing an exception; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; creating s. 493.631, F.S.; defining terms; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances; providing procedures and requirements with respect thereto; authorizing the security officer or security agency manager to

search the person detained under certain circumstances; providing identification requirements for certain licensed security officers and security agency managers; providing immunity to law enforcement officers, licensed security officers, and licensed security agency managers under certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 1330** and read the second time by title.

Pursuant to Rule 4.19, **HB 875** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1628** was deferred.

CS for CS for CS for SB 436—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a condominium association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; providing requirements for the maintenance of the official records of the association; authorizing records to be made available to unit owners in an electronic format; providing a civil penalty for the denial of a request to view records; requiring an association to allow a member or the member's authorized representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or authorized representative for using the portable device; authorizing a cooperative association to print and distribute a member directory under certain conditions; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a

finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a homeowners' association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 436**, on motion by Senator Altman, by two-thirds vote **CS for CS for CS for HB 73** was withdrawn from the Committees on Regulated Industries; Judiciary; and Appropriations.

On motion by Senator Altman—

CS for CS for CS for HB 73—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a condominium association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and

Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; providing requirements for the maintenance of the official records of the association; authorizing records to be made available to unit owners in an electronic format; providing a civil penalty for the denial of a request to view records; requiring an association to allow a member or the member's authorized representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or authorized representative for using the portable device; authorizing a cooperative association to print and distribute a member directory under certain conditions; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising applicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a homeowners' association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 436** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Abruzzo moved the following amendment which failed:

Amendment 1 (569570) (with directory amendment)—Between lines 184 and 185 insert:

(f) Every property insurance policy issued or renewed on or after January 1, 2009, for the purpose of protecting the condominium must provide primary coverage for:

1. All portions of the condominium property as originally installed or replacement of like kind and quality, in accordance with the original plans and specifications.

2. All alterations or additions made to the condominium property or association property pursuant to s. 718.113(2).

3. The coverage must exclude all personal property within the unit or limited common elements; ~~drywall, and~~ floor, wall, and ceiling coverings; electrical fixtures; appliances; water heaters; water filters; built-in cabinets and countertops; and window treatments, including curtains, drapes, blinds, hardware, and similar window treatment components. *The coverage must also exclude, or* replacements of any of the foregoing which are located within the boundaries of the unit and serve only such unit. Such property and any insurance thereupon is the responsibility of the unit owner.

And the directory clause is amended as follows:

Delete line 164 and insert:

Section 2. Subsection (8), paragraphs (f), (g), and (j) of

Pursuant to Rule 4.19, **CS for CS for CS for HB 73** was placed on the calendar of Bills on Third Reading.

CS for SB 546—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute's reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; providing for certain administrative costs of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 546**, on motion by Senator Ring, by two-thirds vote **CS for HB 705** was withdrawn from the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Ring—

CS for HB 705—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute's reporting requirements to include information on assistance

given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; providing for certain administrative costs of the fund; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—a companion measure, was substituted for **CS for SB 546** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 705** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 770** was deferred.

CS for SB 842—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 842**, on motion by Senator Stargel, by two-thirds vote **CS for HB 795** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Stargel—

CS for HB 795—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—a companion measure, was substituted for **CS for SB 842** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 795** was placed on the calendar of Bills on Third Reading.

CS for SB 852—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term “supervisory appraiser”; amending s. 475.612, F.S.; revising a provision specifying from whom a registered trainee appraiser may receive compensation; amending s. 475.615, F.S.; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 852**, on motion by Senator Bean, by two-thirds vote **CS for CS for HB 667** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Bean—

CS for CS for HB 667—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term “supervisory appraiser”; amending s. 475.612, F.S.; conforming a provision to changes made by the act; amending s. 475.615, F.S.; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

—a companion measure, was substituted for **CS for SB 852** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 667** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 928—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; modifying the definition of “qualifying housing development”; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; directing the corporation to adopt rules prioritizing affordable housing projects in the Florida Keys; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation’s strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation’s development of its long-range plan; revising the required contents and information to be included in the corporation’s annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the HOPE program; providing for retroactive application; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 928** to **CS for CS for HB 437**.

Pending further consideration of **CS for CS for SB 928** as amended, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 437** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Simpson—

CS for CS for HB 437—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; revising the definition of “qualifying housing development”; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; providing for retroactive application; amending s. 420.507, F.S.;

revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation's strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation's development of its long-range plan; revising the required contents and information to be included in the corporation's annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the federal Homeownership and Opportunity for People Everywhere (HOPE) program; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 928** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 437** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

CS for SB 1036—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; providing that when the court obtains jurisdiction over a child who has been found to be dependent, the court retains jurisdiction until the child reaches 21 years of age; providing exceptions; amending s. 39.6013, F.S.; conforming a cross reference; creating s. 39.6035, F.S.; requiring the Department of Children and Families, the community-based care provider, and others to assist a child in developing a transition plan after the child reaches 17 years of age and requiring a meeting to develop the plan; specifying requirements and procedures for the transition plan; requiring periodic review of the transition plan; requiring the court to approve the transition plan before the child leaves foster care and the court terminates jurisdiction; creating s. 39.6251, F.S.; providing definitions; providing that a young adult may remain in foster care under certain circumstances after attaining 18 years of age; specifying criteria for extended foster care; providing that the permanency goal for a young adult who chooses to remain in care is transition from care to independent living; specifying dates for eligibility for a young adult to remain in extended foster care; providing for supervised living arrangements in extended foster care; authorizing a young adult to return to foster care under certain circumstances; specifying services that must be provided to the young adult; directing the court to retain jurisdiction and hold review hearings; amending s. 39.701, F.S.; revising judicial review of foster care cases; making technical changes; providing criteria for review hearings for children younger than 18 years of age; providing criteria for review hearings for children 17 years of age; requiring the department to verify that the child has certain documents; requiring the department to update the case plan; providing for review hearings for young adults in foster care; amending s. 409.145, F.S.; requiring the department to develop and implement a system of care for children in foster care; specifying the goals of the foster care system; requiring the department to assist foster care caregivers to achieve quality parenting; specifying the roles and responsibilities of caregivers, the department, and others; providing for transition from a caregiver; requiring information sharing; providing for the adoption and use of a "reasonable and prudent parent" standard; defining terms; providing for the application for the standard of care; providing for limiting liability of caregivers; specifying foster care room and board rates; authorizing community-based care service providers to pay a supplemental monthly room and board payment to foster parents for providing certain services; directing the department to adopt rules; deleting obsolete provisions; amending s. 409.1451, F.S.; providing for the Road-to-Independence program; providing legislative findings and intent; providing for postsecondary services and supports; specifying aftercare services; providing for appeals of a determination of eligibility; providing for portability of services across county lines and between lead agencies; providing for accountability; creating the Independent Living Services Advisory Council; providing for membership and specifying the duties and functions of the council; requiring reports and recommendations; directing the department to adopt rules; amending s. 409.175; allowing for young adults remaining in care to be

considered in total number of children placed in a foster home; amending s. 409.903, F.S.; conforming a cross-reference; directing the Department of Children and Families to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist young adults who have been or remain in the foster care system; providing for a transfer of services; directing the Department of Children and Families in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative to develop design training for caregivers; providing effective dates.

—was read the second time by title.

Senator Detert moved the following amendments which were adopted:

Amendment 1 (748350)—Delete line 114 and insert: *requirements to remain in foster care under s. 39.6251 or chooses to leave care under that section.*

Amendment 2 (494554)—Delete line 279 and insert: *over the young adult. Notwithstanding s. 39.013(2), the court shall resume jurisdiction over the young adult if the department establishes that he or she continues to meet the eligibility requirements in this section.*

Amendment 3 (439730)—Delete line 1134 and insert:

(a) *Effective January 1, 2014, room and board rates paid to*

Amendment 4 (717626)—Delete line 1204 and insert: *s. 1003.435, or s. 1003.438;*

Amendment 5 (701220)—Delete lines 1229-1238 and insert:

2. *For a young adult who remains in foster care, is attending a postsecondary school, as provided in s. 1009.533, and continues to reside in a licensed foster home, the amount is the established room and board rate for foster parents. This takes the place of the payment provided for in s. 409.145(4).*

3. *For a young adult who remains in foster care, but temporarily resides away from a licensed foster home for purposes of attending a postsecondary school as provided in s. 1009.533, the amount is \$1,256 monthly. This takes the place of the payment provided for in s. 409.145(4).*

Amendment 6 (941108)—Delete lines 1279-1292 and insert:

3. *The department, or an agency under contract with the department, shall evaluate each Road-to-Independence award for renewal eligibility on an annual basis. In order to be eligible for a renewal award for the subsequent year, the young adult must:*

a. *Be enrolled for or have completed the number of hours, or the equivalent, to be considered a full-time student under subparagraph (a)4., unless the young adult qualifies for an exception under subparagraph (a)4.*

b. *Maintain standards of academic progress as defined by the education institution, except that if the young adult's progress is insufficient to renew the award at any time during the eligibility period, the young adult may continue to be enrolled for additional terms while attempting to restore eligibility as long as progress towards the required level is maintained.*

Amendment 7 (280686)—Delete lines 1309-1336 and insert:

(3) **AFTERCARE SERVICES.**—

(a) *Aftercare services are available to a young adult who has reached 18 years of age but is not yet 23 years of age and is:*

1. *Not in foster care.*

2. *Temporarily not receiving financial assistance under subsection (2) to pursue postsecondary education.*

(b) *Aftercare services include, but are not limited to, the following:*

1. *Mentoring and tutoring.*

2. *Mental health services and substance abuse counseling.*
3. *Life skills classes, including credit management and preventive health activities.*
4. *Parenting classes.*
5. *Job and career skills training.*
6. *Counselor consultations.*
7. *Temporary financial assistance for necessities, including, but not limited to, education supplies, transportation expenses, security deposits for rent and utilities, furnishings, household goods, and other basic living expenses.*
8. *Financial literacy skills training.*

The specific services to be provided under this paragraph shall be determined by an assessment of the young adult and may be provided by the community-based care provider or through referrals in the community.

(c) Temporary assistance provided to prevent homelessness shall be provided as expeditiously as possible and within the limitations defined by the department.

Amendment 8 (799016) (with title amendment)—Delete lines 1505-1520 and insert:

Section 10. *Effective July 1, 2013, the Department of Children and Families shall work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist children and young adults who have been or continue to remain in the foster care system in making the transition from a structured care system into an independent living setting. The State University System of Florida and the Florida College System shall provide postsecondary educational campus coaching positions that will be integrated into Florida College System institutions' and university institutions' general support services structure to provide current and former foster care children and young adults with dedicated, on-campus support. The Department of Children and Families has the sole discretion to determine which state college or university will offer a campus coaching position, based on departmental demographic data indicating greatest need. These campus coaching positions shall be employees of the selected educational institutions, focused on supporting children and young adults who have been or continue to remain in the foster care system. The Chancellors of the Florida College System and the Board of Governors shall report annually to the Department of Children and Families specific data, subject to privacy laws, about the children and young adults served by the campus coaches, including academic progress, retention rates for students enrolled in the program, financial aid requested and received, and information required by the National Youth in Transition Database.*

And the title is amended as follows:

Delete line 79 and insert: providing for an annual report; directing the

Amendment 9 (433864)—Delete lines 1521-1535 and insert:

Section 11. *Effective January 1, 2014, a child or young adult who is a participant in the program shall transfer to the program services provided in this act, and his or her monthly stipend may not be reduced, the method of payment of the monthly stipend may not be changed, and the young adult may not be required to change his or her living arrangement. These conditions shall remain in effect for a child or young adult until he or she ceases to meet the eligibility requirements under which he or she entered the Road-to-Independence Program. A child or young adult applying or reapplying for the Road-to-Independence Program on or after January 1, 2014, may apply for program services only as provided in this act.*

Pursuant to Rule 4.19, **CS for SB 1036** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 1036**.

The vote was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

CS for CS for SB 1074—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; requiring specified entities to submit an inventory of underused property; requiring the department to adopt rules; amending s. 216.043, F.S.; requiring state agencies to explain why available underused property is not sufficient to meet their needs when requesting fixed capital outlay projects; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; revising provisions requiring state entities to submit a plan if a building or parcel is offered for use to the entity; requiring the board to adopt rules; amending s. 255.248, F.S.; defining the terms “managing agency” and “tenant broker”; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underused space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption to allow certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts may be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending s. 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; creating s. 255.46, F.S.; creating the Underused Property Maximization Program in the Department of Management Services; providing legislative intent and definitions; requiring governmental entities to submit data and the department to establish an inventory of underused property; requiring governmental entities to consult such inventory and, if suitable, submit a business case to the entity that owns or occupies the property; providing for the disposition of underused property; requiring the Auditor General to include findings relating to compliance with this section in any audits; providing certain exemptions for the Board of Trustees of the Internal Improvement Trust Fund; requiring the department to adopt rules; report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1074** to **CS for CS for CS for HB 1145**.

Pending further consideration of **CS for CS for SB 1074** as amended, on motion by Senator Hays, by two-thirds vote **CS for CS for CS for HB 1145** was withdrawn from the Committees on Governmental Oversight and Accountability; Environmental Preservation and Conservation; and Appropriations.

On motion by Senator Hays—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring a state agency to submit a plan if a building or parcel is offered for use to the agency; requiring the board of trustees to adopt rules; amending s. 255.248, F.S.; defining the terms “managing agency” and “tenant broker”; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption that allows certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1074** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1145** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1260** was deferred.

CS for CS for SB 1140—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; repealing s. 569.0073, F.S., relating to the retail sale of certain smoking pipes and smoking devices; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1140**, on motion by Senator Stargel, by two-thirds vote **CS for CS for HB 49** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Stargel—

CS for CS for HB 49—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1140** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 49** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1188—A bill to be entitled An act relating to archaeological sites and specimens; amending s. 267.12, F.S.; providing a definition for “water authority”; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; correcting a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1188**, on motion by Senator Hays, by two-thirds vote **CS for HB 975** was withdrawn from the Committees on Governmental Oversight and Accountability; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Hays—

CS for HB 975—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; providing a definition for “water authority”; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1188** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 975** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for SB 1260—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1260**, on motion by Senator Ring, by two-thirds vote **CS for HB 249** was withdrawn from the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

On motion by Senator Ring, by two-thirds vote—

CS for HB 249—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1260** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 249** was placed on the calendar of Bills on Third Reading.

CS for SB 1404—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; establishing a statute of limitations for criminal and civil causes of actions under the act; specifying circumstances that toll the statute of limitations; amending s. 921.0022, F.S.; increasing the severity of a violation of the act for purposes of the criminal punishment code; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1404**, on motion by Senator Stargel, by two-thirds vote **CS for HB 1173** was withdrawn from the Committees on Criminal Justice; Judiciary; and Appropriations.

On motion by Senator Stargel—

CS for HB 1173—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; providing a limitations period for civil and criminal actions under that act; providing that in a criminal proceeding the period does not run during any time the defendant is absent from the state or without a reasonably ascertainable place of abode or work within the state; limiting the amount of such an exception; amending s. 921.0022, F.S.; reclassifying the offense of communications fraud with a value greater than \$50,000 on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—a companion measure, was substituted for **CS for SB 1404** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1173** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 770—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (916808)—Delete line 32 and insert: *and by a referendum as described in s. 163.514(16), except that for commercial districts, such referendum shall be deemed approved if so approved by an affirmative vote of freeholders owning more than 50 percent of the assessed value of the properties represented by ballots cast. Bonds*

On motion by Senator Ring, further consideration of **CS for CS for SB 770** as amended was deferred.

CS for SB 1434—A bill to be entitled An act relating to law enforcement; amending ss. 125.5801 and 166.0442, F.S.; revising provisions for criminal history record checks for certain county and municipal employees and appointees; amending s. 406.145, F.S.; deleting duties of law enforcement agencies and the department relating to unidentified person reporting forms; amending s. 538.26, F.S.; limiting the number of lead-acid batteries or parts thereof that a secondary metals recycler may purchase in certain transactions in a single day; amending s. 937.021, F.S.; revising provisions relating to missing child and adult reports; amending s. 937.024, F.S.; revising provisions relating to the birth records of missing children; amending s. 937.025, F.S.; revising provisions providing criminal penalties for persons who knowingly provide false information concerning a missing child; amending s. 937.028, F.S.; revising provisions relating to fingerprints of missing persons; authorizing retention of such fingerprints entered into the statewide biometric identification system; amending s. 943.03, F.S.; revising terminology relating to documents and information systems; deleting an obsolete provision; amending s. 943.031, F.S.; correcting a reference; revising

provisions relating to meetings of the Florida Violent Crime and Drug Control Council, the Drug Control Strategy and Criminal Gang Committee, and the Victim and Witness Protection Review Committee; making specified provisions subject to legislative funding; providing for return of unexpended funds by specified recipients; amending s. 943.0435, F.S.; specifying additional items to be reported by persons required to register as sexual offenders; amending s. 943.04351, F.S.; revising requirements for searches of registration information regarding sexual predators and sexual offenders; amending s. 943.0438, F.S.; deleting an obsolete provision; amending s. 943.045, F.S.; defining the term “biometric”; revising the definition of the term “criminal justice information”; amending s. 943.05, F.S.; revising duties of the Criminal Justice Information Program; redesignating the statewide automated fingerprint identification system as the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring additional information to be collected from persons charged with or convicted of specified offenses and submitted electronically to the department; providing an exception to the fingerprinting of certain juveniles; amending s. 943.052, F.S.; revising terminology relating to disposition reporting; revising information to be submitted concerning persons received by or discharged from the state correctional system or certain juveniles committed to the Department of Juvenile Justice; amending s. 943.053, F.S.; revising a reference to rules governing criminal justice information received from the Federal Government or other states; conforming terminology; amending s. 943.054, F.S.; revising provisions relating to the availability of criminal history information derived from any United States Department of Justice criminal justice information system; amending s. 943.0542, F.S.; revising terminology relating to requests for screening; authorizing rulemaking relating to payments for screening; amending s. 943.0544, F.S.; revising terminology relating to the Criminal Justice Network; amending s. 943.055, F.S.; revising provisions relating to dissemination of criminal justice information derived from department information systems; providing for audits of noncriminal justice agencies when necessary to ensure compliance with requirements; amending s. 943.056, F.S.; providing for requests for corrections of federal criminal history record information in certain circumstances; amending s. 943.0582, F.S.; increasing the period in which a minor may seek expunction of a nonjudicial arrest record following completion of a diversion program; revising language relating to a statement to the department by a state attorney concerning such an expunction request; deleting an obsolete provision; amending ss. 943.0585 and 943.059, F.S.; revising language relating to expunctions and sealing precluded by prior criminal history sealings or expunctions; authorizing persons seeking authorization for employment with or access to certain seaports to deny or fail to acknowledge certain expunged or sealed records; amending s. 943.125, F.S.; providing for accreditation of correctional facilities, public agency offices of inspectors general, and certain pretrial diversion programs; authorizing funding and support of additional accreditation programs; amending s. 943.13, F.S.; deleting a provision authorizing temporary employment of a person seeking employment as a law enforcement or correctional officer if there is an administrative delay in fingerprint processing; deleting obsolete language; amending s. 943.132, F.S.; revising references to federal qualified active or qualified retired law enforcement concealed firearms provisions; deleting a requirement that the Criminal Justice Standards and Training Commission develop a uniform firearms proficiency verification card; amending s. 943.1395, F.S.; revising language relating to investigations on behalf of the Criminal Justice Standards and Training Commission; amending s. 943.1755, F.S.; providing that the department maintains responsibility for delivering and facilitating all Florida Criminal Justice Executive Institute training; revising membership of the institute’s policy board; amending s. 943.1757, F.S.; deleting a requirement for a periodic report by the Criminal Justice Executive Institute concerning executive training needs; amending s. 943.25, F.S.; authorizing, rather than requiring, the Criminal Justice Standards and Training Commission to forward to each regional training council a list of its specific recommended priority issues or items to be funded; authorizing the commission to use computer-based testing as an assessment instrument; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; revising provisions relating to the availability to defendants of state-operated criminal analysis laboratories; specifying that defense experts and others are not authorized to be present in such laboratories or use laboratory equipment; revising provisions relating to costs of laboratory testing performed for defendants; amending s. 943.68, F.S.; revising the due date of a report detailing transportation and protective services provided by the department; amending ss. 285.18, 414.40, 447.045, 455.213, 468.453, 475.615, 493.6105, 493.6108, 494.00312, 494.00321, 494.00611,

517.12, 538.09, 538.25, 548.024, 550.105, 550.908, 551.107, 560.141, 628.906, 633.34, 744.3135, 775.21, 775.261, 790.06, 944.607, 944.608, 985.11, 985.644, 985.4815, 1002.395, 1002.421, 1012.32, and 1012.467, 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 SB 1434**, on motion by Senator Evers, by two-thirds vote **CS for HB 585** was withdrawn from the Committees on Criminal Justice; Community Affairs; and Appropriations.

On motion by Senator Evers—

CS for HB 585—A bill to be entitled An act relating to law enforcement; amending ss. 125.5801 and 166.0442, F.S.; revising provisions for criminal history record checks for certain county and municipal employees and appointees; amending s. 406.145, F.S.; deleting duties of law enforcement agencies and the department relating to unidentified person reporting forms; amending s. 538.26, F.S.; limiting the number of lead-acid batteries or parts thereof that a secondary metals recycler may purchase in certain transactions in a single day; amending s. 937.021, F.S.; revising provisions relating to missing child and adult reports; amending s. 937.024, F.S.; revising provisions relating to the birth records of missing children; amending s. 937.025, F.S.; revising provisions providing criminal penalties for persons who knowingly provide false information concerning a missing child; amending s. 937.028, F.S.; revising provisions relating to fingerprints of missing persons; authorizing retention of such fingerprints entered into the statewide biometric identification system; amending s. 943.03, F.S.; revising terminology relating to documents and information systems; deleting an obsolete provision; amending s. 943.031, F.S.; correcting a reference; revising provisions relating to meetings of the Florida Violent Crime and Drug Control Council, the Drug Control Strategy and Criminal Gang Committee, and the Victim and Witness Protection Review Committee; making specified provisions subject to legislative funding; providing for return of unexpended funds by specified recipients; amending s. 943.0435, F.S.; specifying additional items to be reported by persons required to register as sexual offenders; amending s. 943.04351, F.S.; revising requirements for searches of registration information regarding sexual predators and sexual offenders; amending s. 943.0438, F.S.; deleting an obsolete provision; amending s. 943.045, F.S.; defining the term “biometric”; revising the definition of the term “criminal justice information”; amending s. 943.05, F.S.; revising duties of the Criminal Justice Information Program; redesignating the statewide automated fingerprint identification system as the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring additional information to be collected from persons charged with or convicted of specified offenses and submitted electronically to the department; providing an exception to the fingerprinting of certain juveniles; amending s. 943.052, F.S.; revising terminology relating to disposition reporting; revising information to be submitted concerning persons received by or discharged from the state correctional system or certain juveniles committed to the Department of Juvenile Justice; amending s. 943.053, F.S.; revising a reference to rules governing criminal justice information received from the Federal Government or other states; conforming terminology; amending s. 943.054, F.S.; revising provisions relating to the availability of criminal history information derived from any United States Department of Justice criminal justice information system; amending s. 943.0542, F.S.; revising terminology relating to requests for screening; authorizing rulemaking relating to payments for screening; amending s. 943.0544, F.S.; revising terminology relating to the Criminal Justice Network; amending s. 943.055, F.S.; revising provisions relating to dissemination of criminal justice information derived from department information systems; providing for audits of noncriminal justice agencies when necessary to ensure compliance with requirements; amending s. 943.056, F.S.; providing for requests for corrections of federal criminal history record information in certain circumstances; amending s. 943.0582, F.S.; increasing the period in which a minor may seek expunction of a nonjudicial arrest record following completion of a diversion program; revising language relating to a statement to the department by a state attorney concerning such an expunction request; deleting an obsolete provision; amending ss. 943.0585 and 943.059, F.S.; revising language relating to expunctions and sealing precluded by prior criminal history sealings or expunctions; authorizing persons seeking authorization for employment with or access to certain seaports to deny or fail to acknowledge certain expunged or sealed records; amending s.

943.125, F.S.; providing for accreditation of correctional facilities, public agency offices of inspectors general, and certain pretrial diversion programs; authorizing funding and support of additional accreditation programs; amending s. 943.13, F.S.; deleting a provision authorizing temporary employment of a person seeking employment as a law enforcement or correctional officer if there is an administrative delay in fingerprint processing; deleting obsolete language; amending s. 943.132, F.S.; revising references to federal qualified active or qualified retired law enforcement concealed firearms provisions; deleting a requirement that the Criminal Justice Standards and Training Commission develop a uniform firearms proficiency verification card; amending s. 943.1395, F.S.; revising language relating to investigations on behalf of the Criminal Justice Standards and Training Commission; amending s. 943.1755, F.S.; providing that the department maintains responsibility for delivering and facilitating all Florida Criminal Justice Executive Institute training; revising membership of the institute’s policy board; amending s. 943.1757, F.S.; deleting a requirement for a periodic report by the Criminal Justice Executive Institute concerning executive training needs; amending s. 943.25, F.S.; authorizing, rather than requiring, the Criminal Justice Standards and Training Commission to forward to each regional training council a list of its specific recommended priority issues or items to be funded; authorizing the commission to use computer-based testing as an assessment instrument; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; revising provisions relating to the availability to defendants of state-operated criminal analysis laboratories; specifying that defense experts and others are not authorized to be present in such laboratories or use laboratory equipment; revising provisions relating to costs of laboratory testing performed for defendants; amending s. 943.68, F.S.; revising the due date of a report detailing transportation and protective services provided by the department; amending ss. 285.18, 414.40, 447.045, 455.213, 468.453, 475.615, 493.6105, 493.6108, 494.00312, 494.00321, 494.00611, 517.12, 538.09, 538.25, 548.024, 550.105, 550.908, 551.107, 560.141, 628.906, 633.34, 744.3135, 775.21, 775.261, 790.06, 944.607, 944.608, 985.11, 985.644, 985.4815, 1002.395, 1002.421, 1012.32, and 1012.467, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1434** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 585** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1458** was deferred.

CS for CS for SB 1690—A bill to be entitled An act relating to volunteer health services; amending s. 766.1115, F.S.; revising requirements for patient referral under the “Access to Health Care Act”; eliminating a requirement that the governmental contractor approve all follow-up or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that any rule adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; amending s. 458.317, F.S.; revising qualifications necessary to obtain a limited license to practice medicine; amending s. 459.0075, F.S.; revising qualifications necessary to obtain a limited license to practice osteopathic medicine; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1690**, on motion by Senator Bean, by two-thirds vote **CS for CS for HB 1093** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Bean—

CS for CS for HB 1093—A bill to be entitled An act relating to volunteer health services; amending ss. 458.317 and 459.0075, F.S.; revising criteria required for limited licensure for physicians; amending s. 766.1115, F.S.; revising requirements for patient referral under the “Access to Health Care Act”; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the

Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that rules adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1690** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1093** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution and a state university in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be transferred into a specified account and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and requirements relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of each institution receiving surtax proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax; providing an effective date.

—was read the second time by title.

On motion by Senator Benacquisto, further consideration of **CS for CS for SB 1718** was deferred.

On motion by Senator Hukill—

CS for SB 1828—A bill to be entitled An act relating to tax administration; amending s. 125.0104, F.S.; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of “phosphate-related expenses” for the purpose of distributing certain tax proceeds; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.0305, F.S.; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer’s willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term “person”; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zipper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband For-

feiture Act; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—was read the second time by title.

Senator Hukill moved the following amendment which was adopted:

Amendment 1 (261584)—Delete lines 74-79 and insert:

(c) Tax revenues received pursuant to this section by a coastal county that has a population of less than 250,000, excluding the inmate population, may also be used by that county to fund beach safety personnel and lifeguard operational activities in areas where there is public access. All population figures relating to

Senator Galvano offered the following amendment which was moved by Senator Hukill and adopted:

Amendment 2 (389992) (with title amendment)—Between lines 632 and 633 insert:

Section 14. Paragraph (q) of subsection (2) of section 288.106, Florida Statutes, is amended to read:

288.106 Tax refund program for qualified target industry businesses.—

(2) DEFINITIONS.—As used in this section:

(q) “Target industry business” means a corporate headquarters business or a ~~any~~ business that is engaged in one of the target industries identified pursuant to the following criteria developed by the department in consultation with Enterprise Florida, Inc.:

1. Future growth.—Industry forecasts should indicate strong expectation for future growth in both employment and output, according to the most recent available data. Special consideration should be given to businesses that export goods to, or provide services in, international markets and businesses that replace domestic and international imports of goods or services.

2. Stability.—The industry should not be subject to periodic layoffs, whether due to seasonality or sensitivity to volatile economic variables such as weather. The industry should also be relatively resistant to recession; so that the demand for products of the ~~this~~ industry is not typically subject to decline during an economic downturn.

3. High wage.—The industry should pay relatively high wages compared to statewide or area averages.

4. Market and resource independent.—The location of industry businesses should not be dependent on Florida markets or resources as indicated by industry analysis, except for businesses in the renewable energy industry.

5. Industrial base diversification and strengthening.—The industry should contribute toward expanding or diversifying the state’s or area’s economic base, as indicated by analysis of employment and output shares compared to national and regional trends. Special consideration should be given to industries that strengthen regional economies by adding value to basic products or building regional industrial clusters as indicated by industry analysis, *including, but not limited to, sports training or competition for the amateur athlete*. Special consideration should also be given to the development of strong industrial clusters that include defense and homeland security businesses.

6. Positive economic impact.—The industry is expected to have strong positive economic impacts on or benefits to the state or regional economies. Special consideration should be given to industries that facilitate the development of the state as a hub for domestic and global trade and logistics.

The term does not include any business engaged in retail industry activities; any electrical utility company as defined in s. 366.02(2); any

phosphate or other solid minerals severance, mining, or processing operation; any oil or gas exploration or production operation; or any business subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation. Any business within NAICS code 5611 or 5614, office administrative services and business support services, respectively, may be considered a target industry business only after the local governing body and Enterprise Florida, Inc., make a determination that the community where the business may locate has conditions affecting the fiscal and economic viability of the local community or area, including but not limited to, factors such as low per capita income, high unemployment, high underemployment, and a lack of year-round stable employment opportunities, and such conditions may be improved by the location of such a business to the community. By January 1 of every 3rd year, beginning January 1, 2011, the department, in consultation with Enterprise Florida, Inc., economic development organizations, the State University System, local governments, employee and employer organizations, market analysts, and economists, shall review and, as appropriate, revise the list of such target industries and submit the list to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

And the title is amended as follows:

Between lines 53 and 54 insert: amending s. 288.106, F.S.; revising the criteria applicable to the definition of the term “target industry business” to specifically reference sports training or competition for the amateur athlete;

Pursuant to Rule 4.19, **CS for SB 1828** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Thompson—

CS for CS for SB 442—A bill to be entitled An act relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment and terms of commission members; providing for the reimbursement of per diem and travel expenses for commission members; authorizing the commission to establish or designate a direct-support organization for specified purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Thompson moved the following amendment which was adopted:

Amendment 1 (369782) (with title amendment)—Delete lines 79-82 and insert:

(5) *As used in this section, the term “direct-support organization” means a Florida not-for-profit corporation incorporated under chapter 617, Florida Statutes, and organized and operated to conduct programs and activities; initiate developmental projects; raise funds; request and receive grants, gifts, and bequests of moneys; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of black tourism in this state, to support the state’s black cultural sites, and to support the functions of the commission.*

(6)(a) *The commission is authorized to organize and incorporate a direct-support organization pursuant to the requirements of this section and chapter 617, Florida Statutes, to accomplish the purposes and objectives set forth in this section.*

(b) *The board of the direct-support organization shall consist of seven members. The Secretary of State shall appoint three members to serve 3-year terms. The commission shall appoint two members to serve 2-year terms and two members to serve 4-year terms. Thereafter, the board shall be self-appointed according to the established bylaws.*

(c) *The direct-support organization is subject to the provisions of ss. 119.07 and 286.011, Florida Statutes, and s.24, Article I of the State Constitution.*

(d) *The direct-support organization shall maintain donations and direct service expenditures in a bank account outside the State Treasury.*

(e) *Any administrative costs of running and promoting the purposes of the corporation must be paid by private funds.*

(7) *The direct-support organization shall operate under written contract with the commission. The contract must provide for:*

(a) *Approval by the commission of the articles of incorporation and bylaws of the direct-support organization.*

(b) *Submission of an annual budget for the approval of the commission. The budget must comply with rules adopted by the commission.*

(c) *Certification by the commission that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the commission and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the commission.*

(d) *Reversion to the commission, or to the department if the commission ceases to exist, of moneys and property held in trust by the direct-support organization if the direct-support organization is no longer approved to operate for the commission or the commission ceases to exist.*

(e) *A fiscal year for the direct-support organization beginning on July 1 of each year and ending on June 30 of the following year.*

(f) *The disclosure of material provisions of the contract and the distinction between the board of directors and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.*

(8) *The purposes and goals of the direct-support organization must be consistent with priority issues and objectives of the commission and must be in the best interests of the state.*

(9) *Funds designated for the direct-support organization must be used for the enhancement of programs and projects of the commission. All moneys received by the organization must be deposited into an account of the organization and must be used by the organization in a manner consistent with the purposes and goals of the organization.*

(10) *The direct-support organization shall comply with the audit requirements of s. 215.981, Florida Statutes.*

And the title is amended as follows:

Delete lines 11-13 and insert: expenses for commission members; defining the term “direct-support organization”; authorizing the commission to create a direct-support organization; providing purposes and objectives; providing for members of the board of the direct-support organization; providing that the direct-support organization is subject to public records and meetings requirements; requiring expenses of the direct-support organization to be paid by private funds; requiring the direct-support organization to operate under a written contract with the commission; specifying contract requirements; providing guidelines for the use of the funds; requiring the direct-support organization to comply with audit requirements; providing an

RECONSIDERATION OF AMENDMENT

On motion by Senator Thompson, the Senate reconsidered the vote by which **Amendment 1 (369782)** was adopted.

Amendment 1 (369782) was withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 442** was placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

CS for CS for SB 676—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, 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 676**, on motion by Senator Evers, by two-thirds vote **CS for CS for HB 617** was withdrawn from the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Evers—

CS for CS for HB 617—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 676** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 617** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for SB 1770—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; adding a member to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; amending s. 627.171, F.S.; allowing a consent to an excess rate to apply to subsequent policy renewals; limiting the allowable amount of excess rates to counties where there is no competition; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain

decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain percentage; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk factor; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending s. 627.405, F.S.; authorizing policyholders to assign benefits subject to conditions in the policy; amending s. 627.410, F.S.; conforming provisions to changes made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

—as amended April 11 was read the third time by title.

SENATOR LEE PRESIDING

Senator Simmons moved the following amendment:

Amendment 1 (420058) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (n) of subsection (2) and paragraph (d) of subsection (6) of section 215.555, Florida Statutes, are amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(2) DEFINITIONS.—As used in this section:

(n) "Corporation" means the *State Board of Administration Florida Hurricane Catastrophe Fund* Finance Corporation created in paragraph (6)(d).

(6) REVENUE BONDS.—

(d) *State Board of Administration Florida Hurricane Catastrophe Fund Finance Corporation.*—

1. In addition to the findings and declarations in subsection (1), the Legislature also finds and declares that:

a. The public benefits corporation created under this paragraph will provide a mechanism ~~necessary~~ for the cost-effective and efficient issuance of bonds. This mechanism will eliminate unnecessary costs in the bond issuance process, thereby increasing the amounts available ~~for to~~ pay reimbursement for losses to property sustained as a result of hurricane damage.

b. The purpose of such bonds is to fund reimbursements through the Florida Hurricane Catastrophe Fund ~~to pay~~ for the costs of construction, reconstruction, repair, restoration, and other costs associated with damage to properties of policyholders of covered policies due to the occurrence of a hurricane.

c. The efficacy of the financing mechanism will be enhanced by the corporation's ownership of the assessments, by the insulation of the assessments from possible bankruptcy proceedings, and by covenants of the state with the corporation's bondholders.

~~2.a.~~ *The State Board of Administration Finance Corporation* There is created, *which is a public benefits corporation and, which is an instrumentality of the state, to be known as the Florida Hurricane Catastrophe Fund Finance Corporation. The State Board of Administration Finance Corporation is for all purposes the successor to the Florida Hurricane Catastrophe Fund Finance Corporation.*

~~a.b.~~ The corporation shall operate under a five-member board of directors consisting of the Governor or a designee, the Chief Financial Officer or a designee, the Attorney General or a designee, the director of the Division of Bond Finance of the State Board of Administration, and the *Chief Operating Officer senior employee of the State Board of Administration responsible for operations* of the Florida Hurricane Catastrophe Fund.

~~b.e.~~ The corporation has all of the powers of corporations under chapter 607 and under chapter 617, subject only to ~~the provisions of this subsection.~~

~~c.d.~~ The corporation may issue bonds and engage in such other financial transactions as are necessary to provide sufficient funds to achieve the purposes of this section.

~~d.e.~~ The corporation may invest in any of the investments authorized under s. 215.47.

~~e.f.~~ There ~~is shall be~~ no liability on the part of, and no cause of action shall arise against, any board members or employees of the corporation for any actions taken by them in the performance of their duties under this paragraph.

3.a. In actions under chapter 75 to validate any bonds issued by the corporation, the notice required by s. 75.06 ~~must shall~~ be published in two newspapers of general circulation in the state, and the complaint and order of the court shall be served only on the State Attorney of the Second Judicial Circuit.

b. The state hereby covenants with holders of bonds of the corporation that the state will not repeal or abrogate the power of the board to direct the Office of Insurance Regulation to levy the assessments and to collect the proceeds of the revenues pledged to the payment of such bonds as long as ~~any~~ such bonds remain outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of ~~the such~~ bonds.

~~c.4.~~ The bonds of the corporation are not a debt of the state or of any political subdivision, and neither the state nor any political subdivision is liable on such bonds. The corporation ~~may not does not have the power to~~ pledge the credit, the revenues, or the taxing power of the state or of any political subdivision. The credit, revenues, or taxing power of the state or of any political subdivision ~~may shall~~ not be deemed to be pledged to the payment of any bonds of the corporation.

~~d.5.a.~~ The property, revenues, and other assets of the corporation; the transactions and operations of the corporation and the income from

such transactions and operations; and all bonds issued under this paragraph and interest on such bonds are exempt from taxation by the state and any political subdivision, including the intangibles tax under chapter 199 and the income tax under chapter 220. This exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the *State Board of Administration Florida Hurricane Catastrophe Fund Finance Corporation.*

~~e.b.~~ All bonds of the corporation ~~are shall be and constitute~~ legal investments without limitation for all public bodies of this state; for all banks, trust companies, savings banks, savings associations, savings and loan associations, and investment companies; for all administrators, executors, trustees, and other fiduciaries; for all insurance companies and associations and other persons carrying on an insurance business; and for all other persons who are now or may hereafter be authorized to invest in bonds or other obligations of the state and ~~are shall be and constitute~~ eligible securities to be deposited as collateral for the security of any state, county, municipal, or other public funds. This sub-paragraph shall be considered ~~as~~ additional and supplemental authority and ~~may shall~~ not be limited without specific reference to this sub-paragraph.

~~4.6.~~ The corporation and its corporate existence shall continue until terminated by law; however, no such law shall take effect as long as the corporation has bonds outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of such bonds. Upon termination of the existence of the corporation, all of its rights and properties in excess of its obligations shall pass to and be vested in the state.

Section 2. Subsection (1) of section 624.155, Florida Statutes, is amended and subsection (10) is added to that section, to read:

624.155 Civil remedy.—

(1) Any person may bring a civil action against an insurer, *including Citizens Property Insurance Corporation, if when* such person is damaged:

(a) By a violation of any of the following provisions by the insurer:

1. Section 626.9541(1)(i), (o), or (x);
2. Section 626.9551;
3. Section 626.9705;
4. Section 626.9706;
5. Section 626.9707; or
6. Section 627.7283.

(b) By the commission of any of the following acts by the insurer:

1. Not attempting in good faith to settle claims *if when*, under all the circumstances, it could and should have done so, had it acted fairly and honestly toward its insured and with due regard for her or his interests;
2. Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made; or
3. Except as to liability coverages, failing to promptly settle claims, when the obligation to settle a claim has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.

Notwithstanding the provisions of *this subsection the above to the contrary*, a person pursuing a remedy under this section need not prove that such act was committed or performed with such frequency as to indicate a general business practice.

(10) *For the purposes of this section, Citizens Property Insurance Corporation is an agent of the state covered by s. 768.28, and any cause of action brought pursuant to this section is considered a tort action against the corporation and the limits of s. 768.28 applicable to tort actions apply.*

Section 3. Subsection (4) of section 626.752, Florida Statutes, is amended to read:

626.752 Exchange of business.—

(4) The foregoing limitations and restrictions ~~do shall not be con-~~ ~~structed and shall not~~ apply to the placing of surplus lines business under the provisions of part VIII, *or to the activities of Citizens Property Insurance Corporation when placing new and renewal business with authorized insurers in accordance with s. 627.3518.*

Section 4. Subsection (2) and paragraph (d) of subsection (3) of section 627.062, Florida Statutes, are amended to read:

627.062 Rate standards.—

(2) As to all such classes of insurance:

(a) Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals that allow the insurer a reasonable rate of return on the classes of insurance written in this state. A copy of rates, rating schedules, rating manuals, premium credits or discount schedules, and surcharge schedules, and changes thereto, must be filed with the office *in accordance with* ~~under~~ one of the following procedures:

1. If the filing is made at least 90 days before the proposed effective date and is not implemented during the office's review of the filing and any proceeding and judicial review, such filing is considered a "file and use" filing. In such case, the office shall finalize its review by issuance of a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing. The notice of intent to approve and the notice of intent to disapprove constitute agency action for purposes of the Administrative Procedure Act. Requests for supporting information, requests for mathematical or mechanical corrections, or notification to the insurer by the office of its preliminary findings does not toll the 90-day period during ~~any~~ such proceedings and subsequent judicial review. The rate shall be deemed approved if the office does not issue a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing.

2. If the filing is not made in accordance with subparagraph 1., such filing must be made as soon as practicable, but within 30 days after the effective date, and is considered a "use and file" filing. An insurer making a "use and file" filing is potentially subject to an order by the office to return ~~to policyholders~~ those portions of rates found to be excessive *to policyholders*, as provided in paragraph (i) ~~(h)~~.

~~3. For all property insurance filings made or submitted after January 25, 2007, but before May 1, 2012, an insurer seeking a rate that is greater than the rate most recently approved by the office shall make a "file and use" filing. For purposes of this subparagraph, motor vehicle collision and comprehensive coverages are not considered property coverages.~~

(b) Upon receiving a rate filing, the office shall review the filing to determine if a rate is excessive, inadequate, or unfairly discriminatory. In making that determination, the office shall, in accordance with generally accepted and reasonable actuarial techniques, consider the following factors:

1. Past and prospective loss experience within and without this state.
2. Past and prospective expenses.
3. The degree of competition among insurers for the risk insured.
4. Investment income reasonably expected by the insurer, consistent with the insurer's investment practices, from investable premiums anticipated ~~from in~~ the filing, plus any other expected income from currently invested assets representing the amount expected on unearned premium reserves and loss reserves. The commission may adopt rules *that use* ~~using~~ reasonable techniques of actuarial science and economics to specify the manner in which insurers calculate investment income attributable to classes of insurance written in this state and ~~the manner~~ in which investment income is used to calculate insurance rates. Such ~~rules manner~~ must *allow* ~~contemplate allowances~~ for an underwriting profit factor and full consideration of investment income which produce a

reasonable rate of return; however, investment income from invested surplus may not be considered.

5. The reasonableness of the judgment reflected in the filing.
6. Dividends, savings, or unabsorbed premium deposits allowed or returned to ~~state Florida~~ policyholders, members, or subscribers.
7. The adequacy of loss reserves.
8. The cost of reinsurance. The office may not disapprove a rate as excessive ~~solely~~ *due solely* to the insurer having obtained catastrophic reinsurance to cover the insurer's estimated 250-year probable maximum loss or any lower level of loss, *or due solely to an admitted carrier purchasing private reinsurance that would insure against potential deficits within the Florida Hurricane Catastrophe Fund which the most recent estimate made pursuant to s. 215.555(4)(c)2. predicts would be funded through revenue bonds issued under s. 215.555(6).*
9. Trend factors, including trends in actual losses per insured unit for the insurer making the filing.
10. Conflagration and catastrophe hazards, if applicable.
11. Projected hurricane losses, if applicable, which must be estimated using a model or method found to be acceptable or reliable by the Florida Commission on Hurricane Loss Projection Methodology, and as further provided in s. 627.0628.
12. A reasonable margin for underwriting profit and contingencies.
13. The cost of medical services, if applicable.
14. Other relevant factors that affect the frequency or severity of claims or expenses.

(c) *The office shall calculate and publish insurance inflation factors based on noncatastrophe direct loss costs for use in residential property insurance filings. The office shall update the published factors at least annually and make them available on its website. The calculation of insurance inflation factors are not subject to rulemaking under chapter 120.*

1. *An insurer making a residential property insurance rate filing that proposes a change in noncatastrophe base rates by a uniform factor equal to or less than the applicable published insurance inflation factor, may make a rate filing under s. 627.0645 which consists of a rate certification in lieu of a full rate filing under paragraph (a). The office shall verify insurer use of the appropriate published inflation factor and, if the inflation factor is used appropriately, the filed rates shall be deemed not excessive.*

2. *An insurer filing under this paragraph may make a separate filing pursuant to paragraph (l) to adjust its rates for reinsurance rates, reinsurance financing costs and products, and cash buildup factor costs. The insurance inflation factors do not apply to these filings.*

3. *This paragraph does not apply to filings made by Citizens Property Insurance Corporation.*

~~(d)(e)~~ In the case of fire insurance rates, consideration must be given to the availability of water supplies and the experience of the fire insurance business during ~~a period of not less than~~ the most recent 5-year or longer period for which such experience is available.

~~(e)(d)~~ If conflagration or catastrophe hazards are considered by an insurer in its rates or rating plan, including surcharges and discounts, the insurer *must shall* establish a reserve for that portion of the premium allocated to such hazard and maintain the premium in a catastrophe reserve. Removal of such premiums from the reserve for purposes other than paying claims associated with a catastrophe or purchasing reinsurance for catastrophes must be approved by the office. Any ceding commission received by an insurer purchasing reinsurance for catastrophes must be placed in the catastrophe reserve.

~~(f)(e)~~ After consideration of the rate factors provided in paragraphs (b), ~~(e)~~, and (d), and (e) the office may find a rate to be excessive, inadequate, or unfairly discriminatory based upon the following standards:

1. Rates shall be deemed excessive if they are likely to produce a profit from Florida business which is unreasonably high in relation to the risk involved in the class of business or if expenses are unreasonably high in relation to services rendered.

2. Rates shall be deemed excessive if, among other things, the rate structure established by a stock insurance company provides for replenishment of surpluses from premiums; if ~~such the~~ replenishment is attributable to investment losses.

3. Rates shall be deemed inadequate if ~~they are clearly insufficient~~, together with the investment income attributable to them, ~~they are clearly insufficient~~ to sustain projected losses and expenses in the class of business to which they apply.

4. A rating plan, including discounts, credits, or surcharges, shall be deemed unfairly discriminatory if it fails to clearly and equitably reflect consideration of the policyholder's participation in a risk management program adopted pursuant to s. 627.0625.

5. A rate shall be deemed inadequate as to the premium charged to a risk or group of risks if discounts or credits are allowed which exceed a reasonable reflection of expense savings and reasonably expected loss experience from the risk or group of risks.

6. A rate shall be deemed unfairly discriminatory as to a risk or group of risks if the application of premium discounts, credits, or surcharges among such risks does not bear a reasonable relationship to the expected loss and expense experience among the various risks.

(g)(f) In reviewing a rate filing, the office may require the insurer to provide, at the insurer's expense, all information necessary to evaluate the condition of the company and the reasonableness of the filing according to the criteria enumerated in this section.

(h)(g) The office may at any time review a rate, rating schedule, rating manual, or rate change; the pertinent records of the insurer; and market conditions. If the office finds on a preliminary basis that a rate may be excessive, inadequate, or unfairly discriminatory, the office shall initiate proceedings to disapprove the rate and ~~shall so~~ notify the insurer. However, the office may not disapprove as excessive any rate for which it has given final approval or which has been deemed approved for 1 year after the effective date of the filing unless the office finds that a material misrepresentation or material error was made by the insurer or was contained in the filing. Upon ~~notification being notified~~, the insurer or rating organization shall, within 60 days, file with the office all information that, in the belief of the insurer or organization, proves the reasonableness, adequacy, and fairness of the rate or rate change. The office shall issue a notice of intent to approve or a notice of intent to disapprove pursuant to paragraph (a) within 90 days after receipt of the insurer's initial response. In such instances and in any administrative proceeding relating to the legality of the rate, the insurer or rating organization ~~shall~~ carry the burden of proof of *showing*, by a preponderance of the evidence, ~~to show~~ that the rate is not excessive, inadequate, or unfairly discriminatory. After the office notifies an insurer that a rate may be excessive, inadequate, or unfairly discriminatory, unless the office withdraws the notification, the insurer may not alter the rate except to conform to the office's notice until the earlier of 120 days after the date the notification was provided or 180 days after the date of implementing the rate. ~~The office~~, Subject to chapter 120, ~~the office~~ may disapprove without the 60-day notification any rate increase filed by an insurer within the prohibited time period or during the time that the legality of the increased rate is being contested.

(i)(h) If the office finds that a rate or rate change is excessive, inadequate, or unfairly discriminatory, the office shall issue an order of disapproval ~~requiring specifying~~ that a new rate or rate schedule, which responds to the findings of the office, be filed by the insurer. The office shall further order, for any "use and file" filing made in accordance with subparagraph (a)2., that ~~the portion of premiums charged which constitute each policyholder constituting~~ the portion of the rate above that which was actuarially justified be returned to the policyholder in the form of a credit or refund. If the office finds that an insurer's rate or rate change is inadequate, the new rate or rate schedule filed with the office in response to such a finding ~~applies is applicable~~ only to new or renewal business ~~of the insurer~~ written by the insurer on or after the effective date of the responsive filing.

(j)(i) Except as otherwise specifically provided in this chapter, for property and casualty insurance the office may not directly or indirectly:

1. Prohibit ~~an any~~ insurer, including any residual market plan or joint underwriting association, from paying acquisition costs based on the full amount of premium, as defined in s. 627.403, applicable to any policy, or prohibit ~~any~~ such insurer from including the full amount of acquisition costs in a rate filing; or

2. Impede, abridge, or otherwise compromise an insurer's right to acquire policyholders, advertise, or appoint agents, including the calculation, manner, or amount of such agent commissions, if any.

(k)(j) With respect to residential property insurance rate filings, the rate filing must account for mitigation measures undertaken by policyholders to reduce hurricane losses.

(l)(k)1. A residential property insurer may make a separate filing limited solely to an adjustment of its rates for reinsurance, the cost of financing products used as a replacement for reinsurance, financing costs incurred in the purchase of reinsurance, and the actual cost paid due to the application of the cash build-up factor pursuant to s. 215.555(5)(b) if the insurer:

a. Elects to purchase financing products, such as a liquidity instrument or line of credit, in which case the cost included in filing for the liquidity instrument or line of credit may not result in a premium increase exceeding 3 percent for any individual policyholder. All costs contained in the filing may not result in an overall premium increase of more than 15 percent for any individual policyholder.

b. Includes in the filing a copy of all of its reinsurance, liquidity instrument, or line of credit contracts; proof of the billing or payment for the contracts; and the calculation upon which the proposed rate change is based demonstrating that the costs meet the criteria of this section.

2. An insurer that purchases reinsurance or financing products from an affiliated company may make a separate filing only if the costs for such reinsurance or financing products are charged at or below charges made for comparable coverage by nonaffiliated reinsurers or financial entities making such coverage or financing products available in this state.

3. An insurer may make only one filing per 12-month period under this paragraph.

4. An insurer that elects to implement a rate change under this paragraph must file its rate filing with the office at least 45 days before the effective date of the rate change. After an insurer submits a complete filing that meets all of the requirements of this paragraph, the office has 45 days after the date of the filing to review the rate filing and determine if the rate is excessive, inadequate, or unfairly discriminatory.

The provisions of this subsection do not apply to workers' compensation, employer's liability insurance, and motor vehicle insurance.

(3)

(d)1. The following categories or kinds of insurance and types of commercial lines risks are not subject to paragraph (2)(a) or paragraph (2)(g) ~~(2)(f)~~:

- a. Excess or umbrella.
- b. Surety and fidelity.
- c. Boiler and machinery and leakage and fire extinguishing equipment.
- d. Errors and omissions.
- e. Directors and officers, employment practices, fiduciary liability, and management liability.
- f. Intellectual property and patent infringement liability.
- g. Advertising injury and Internet liability insurance.
- h. Property risks rated under a highly protected risks rating plan.

- i. General liability.
- j. Nonresidential property, except for collateral protection insurance as defined in s. 624.6085.
- k. Nonresidential multiperil.
- l. Excess property.
- m. Burglary and theft.

n. Any other commercial lines categories or kinds of insurance or types of commercial lines risks that the office determines should not be subject to paragraph (2)(a) or paragraph (2)(g) ~~(2)(f)~~ because of the existence of a competitive market for such insurance, similarity of such insurance to other categories or kinds of insurance not subject to paragraph (2)(a) or paragraph (2)(g) ~~(2)(f)~~, or to improve the general operational efficiency of the office.

2. Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals *that* ~~to~~ allow the insurer a reasonable rate of return on insurance and risks described in subparagraph 1. which are written in this state.

3. An insurer must notify the office of any changes to rates for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the insurer, the type or kind of insurance subject to rate change, total premium written during the immediately preceding year by the insurer for the ~~type or kind of~~ insurance subject to the rate change, and the average statewide percentage change in rates. Underwriting files, premiums, losses, and expense statistics *relating with regard* ~~relating with regard~~ to such insurance and risks written by an insurer must be maintained by the insurer and subject to examination by the office. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b), (d) ~~(e)~~, and (e) ~~(d)~~ and the standards in paragraph (2)(f) ~~(2)(e)~~ to determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. A rating organization must notify the office of any changes to loss cost for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the rating organization, the type or kind of insurance subject to a loss cost change, loss costs during the immediately preceding year for the type or kind of insurance subject to the loss cost change, and the average statewide percentage change in loss cost. Actuarial data *relating with regard* ~~relating with regard~~ to changes to loss cost for risks not subject to paragraph (2)(a) or paragraph (2)(g) ~~(2)(f)~~ must be maintained by the rating organization for 2 years after the effective date of the change and are subject to examination by the office. The office may require the rating organization to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b), (d), and (e) ~~(2)(b)-(d)~~ and the standards in paragraph (2)(f) ~~(2)(e)~~ to determine if the rate is excessive, inadequate, or unfairly discriminatory.

Section 5. Paragraph (b) of subsection (2) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

- (2) COMMISSION CREATED.—
- (b) The commission shall consist of the following *12* ~~11~~ members:
 - 1. The insurance consumer advocate.
 - 2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund.
 - 3. The Executive Director of the Citizens Property Insurance Corporation.
 - 4. The Director of the Division of Emergency Management.
 - 5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council.

6. An employee of the office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the office.

7. Five members appointed by the Chief Financial Officer, as follows:

a. An actuary who is employed full time by a property and casualty insurer that was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the commission.

b. An expert in insurance finance who is a full-time member of the faculty of the State University System and who has a background in actuarial science.

c. An expert in statistics who is a full-time member of the faculty of the State University System and who has a background in insurance.

d. An expert in computer system design who is a full-time member of the faculty of the State University System.

e. An expert in meteorology who is a full-time member of the faculty of the State University System and who specializes in hurricanes.

8. *A licensed professional structural engineer who is a full-time faculty member in the State University System and who has expertise in wind mitigation techniques. This appointment shall be made by the Governor.*

Section 6. Subsection (1) of section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(1) It is the intent of the Legislature that insurers provide savings to consumers who install or implement windstorm damage mitigation techniques, alterations, or solutions to their properties to prevent windstorm losses. A rate filing for residential property insurance must include *notice of the mitigation discounts offered by the insurer, which must be actuarially reasonable discounts, credits, or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The fixtures or construction techniques must include, but are not limited to, fixtures or construction techniques that enhance roof strength, roof covering performance, roof-to-wall strength, wall-to-floor-to-foundation strength, opening protection, and the impact resistance of window, door, and skylight openings strength.* Credits, discounts, or other rate differentials, or appropriate reductions in deductibles, for fixtures and construction techniques that meet the minimum requirements of the Florida Building Code must be included in the rate filing. The office shall determine the discounts, credits, other rate differentials, and appropriate reductions in deductibles that reflect the full actuarial value of such revaluation, which may be used by insurers in rate filings.

Section 7. Paragraphs (a), (b), (c), (g), (i), (m), (q), (t), and (z) of subsection (6) of section 627.351, Florida Statutes, are amended, and paragraph (gg) is added to that subsection, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) The public purpose of this subsection is to ensure that there is an orderly market for property insurance for residents and businesses of this state.

1. The Legislature finds that private insurers are *entering the Florida property insurance market unwilling or unable* ~~unwilling or unable~~ to provide affordable property insurance coverage in many regions of the state. *The Legislature further finds that when Citizens Property Insurance Corporation offers rates that are not adequate to cover the average costs that are generated from the claims filed by its policyholders, the deficiency may create a financial burden on all other state policyholders who must purchase their own insurance from private insurers at full actuarial cost and pay an added fee to cover a portion of the cost for claims filed by policyholders of the corporation. The Legislature intends that the corporation not act as a barrier or competitor to the private insurance market but be available to residents of ~~in~~ this state only if there is no private market coverage*

available at rates determined reasonable by the Office of Insurance Regulation to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. As the corporation has continued its rapid growth and exposure, it increasingly threatens state residents with having to absorb an even greater financial burden than they are currently bearing. The state, therefore, has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable, actuarially sound, noncompetitive rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property without overburdening the policyholders of this state in order to reduce or avoid the negative effects on otherwise resulting to the public health, safety, and welfare; on, to the economy of the state; and on, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to make provide affordable, actuarially sound, noncompetitive property insurance available to applicants who are, in good faith, entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, therefore, that affordable, actuarially sound, noncompetitive property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state; and that is not a private insurance company, or through referrals to private insurers participating in a clearinghouse established by the corporation. To that end, the corporation shall strive to promote increase the availability of affordable and actuarially sound private property insurance in this state, supplemented by coverage provided by the corporation if appropriate, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is further the intent of the Legislature that the corporation continue to be an integral part of the state and not a private insurance company, and that the income of the corporation be exempt from federal income taxation, and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property insurance, for applicants who are eligible entitled, but, in good faith, are unable to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission, and the commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies; and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. *With respect to coverage for personal lines residential structures:*

a. Effective January 1, 2014 2009, a personal lines residential structure that has a dwelling replacement cost of \$1 \$2 million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$1 \$2 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2013 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings may reapply and obtain coverage if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement costs under cost for the purposes of this subparagraph. If a policyholder is insured by the corporation before prior to being determined to be ineligible pursuant to this subparagraph and

such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

b. *Effective January 1, 2015, a structure that has a dwelling replacement cost of \$900,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$900,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2014, may continue to be covered by the corporation until the end of the policy term.*

c. *Effective January 1, 2016, a structure that has a dwelling replacement cost of \$800,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$800,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2015, may continue to be covered by the corporation until the end of the policy term.*

d. *Effective January 1, 2017, a structure that has a dwelling replacement cost of \$700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$700,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2016, may continue to be covered by the corporation until the end of the policy term.*

e. *Effective January 1, 2018, a structure that has a dwelling replacement cost of \$600,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$600,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2017, may continue to be covered by the corporation until the end of the policy term.*

f. *Effective January 1, 2019, a structure that has a dwelling replacement cost of \$500,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$500,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2018, may continue to be covered by the corporation until the end of the policy term.*

The requirements of sub-subparagraphs b.-f. do not apply in counties where the corporation provides more than 75 percent of the personal lines residential policies providing wind coverage. In such counties the eligibility requirements of sub-subparagraph a. apply.

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5. *A new structure for which a notice of commencement has been issued on or after July 1, 2014, pursuant to s. 713.135, which is located seaward of the coastal construction control line created pursuant to s. 161.053, is ineligible for coverage through the corporation unless the structure meets the coastal code-plus building code criteria developed and recommended by the Florida Building Commission. Filing a notice of commencement for an addition to an existing structure that was built before July 1, 2014, requires that the addition be built according to the code-plus building criteria but does not require that the existing structure meet the code-plus criteria in order to be eligible for coverage through the corporation. Effective January 1, 2009, a personal lines residential structure that is located in the "wind borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of \$750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure shall be deemed to comply with this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.*

6. For any claim filed under any policy of the corporation, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value greater than 10 percent of the

additional amount actually paid over the amount that was originally offered by the corporation for any one claim.

(b)1. All insurers authorized to write one or more subject lines of business in this state are subject to assessment by the corporation and, for the purposes of this subsection, are referred to collectively as “assessable insurers.” Insurers writing one or more subject lines of business in this state pursuant to part VIII of chapter 626 are not assessable insurers; *however, but* insureds who procure one or more subject lines of business in this state pursuant to part VIII of chapter 626 are subject to assessment by the corporation and are referred to collectively as “assessable insureds.” An insurer’s assessment liability begins on the first day of the calendar year following the year in which the insurer was issued a certificate of authority to transact insurance for subject lines of business in this state and terminates 1 year after the end of the first calendar year during which the insurer no longer holds a certificate of authority to transact insurance for subject lines of business in this state.

2.a. All revenues, assets, liabilities, losses, and expenses of the corporation shall be divided into three separate accounts as follows:

(I) A personal lines account for personal residential policies issued by the corporation, or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation, which provides comprehensive, multiperil coverage on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas;

(II) A commercial lines account for commercial residential and commercial nonresidential policies issued by the corporation, or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation, which provides coverage for basic property perils on risks that are not located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for policies that do not provide coverage for the peril of wind on risks that are located in such areas; and

(III) A coastal account for personal residential policies and commercial residential and commercial nonresidential property policies issued by the corporation, or transferred to the corporation, which provides coverage for the peril of wind on risks that are located in areas eligible for coverage by the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002. The corporation may offer policies that provide multiperil coverage and ~~the corporation shall continue to offer policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage in the coastal account.~~ In issuing multiperil coverage, the corporation may use its approved policy forms and rates for the personal lines account. An applicant or insured who is eligible to purchase a multiperil policy from the corporation may purchase a multiperil policy from an authorized insurer without prejudice to the applicant’s or insured’s eligibility to prospectively purchase a policy that provides coverage only for the peril of wind from the corporation. An applicant or insured who is eligible for a corporation policy that provides coverage only for the peril of wind may elect to purchase or retain such policy and also purchase or retain coverage excluding wind from an authorized insurer without prejudice to the applicant’s or insured’s eligibility to prospectively purchase a policy that provides multiperil coverage from the corporation. It is the goal of the Legislature that there be an overall average savings of 10 percent or more for a policyholder who currently has a wind-only policy with the corporation, and an ex-wind policy with a voluntary insurer or the corporation, and who obtains a multiperil policy from the corporation. It is the intent of the Legislature that the offer of multiperil coverage in the coastal account be made and implemented in a manner that does not adversely affect the tax-exempt status of the corporation or creditworthiness of or security for currently outstanding financing obligations or credit facilities of the coastal account, the personal lines account, or the commercial lines account. ~~The coastal account must also include quota share primary insurance under subparagraph (c)2.~~ The area eligible for coverage under the coastal account also includes the area within Port Canaveral, which is bordered on the south by the City of Cape Canaveral, bordered on the west by the Banana River, and bordered on the north by Federal Government property.

b. The three separate accounts must be maintained as long as financing obligations entered into by the Florida Windstorm Under-

writing Association or Residential Property and Casualty Joint Underwriting Association are outstanding, in accordance with the terms of the corresponding financing documents. If the financing obligations are no longer outstanding, the corporation may use a single account for all revenues, assets, liabilities, losses, and expenses of the corporation. Consistent with this subparagraph and prudent investment policies that minimize the cost of carrying debt, the board shall exercise its best efforts to retire existing debt or obtain the approval of necessary parties to amend the terms of existing debt, *in order so as* to structure the most efficient plan *for consolidating to consolidate* the three separate accounts into a single account.

c. Creditors of the Residential Property and Casualty Joint Underwriting Association and the accounts specified in sub-sub-subparagraphs a.(I) and (II) may have a claim against, and recourse to, those accounts and no claim against, or recourse to, the account referred to in sub-sub-subparagraph a.(III). Creditors of the Florida Windstorm Underwriting Association have a claim against, and recourse to, the account referred to in sub-sub-subparagraph a.(III) and no claim against, or recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II).

d. Revenues, assets, liabilities, losses, and expenses not attributable to particular accounts shall be prorated among the accounts.

e. The Legislature finds that the revenues of the corporation are revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds under this subsection.

f. The income of the corporation may not inure to the benefit of any private person.

3. With respect to a deficit in an account:

a. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i., if the remaining projected deficit incurred in the coastal account in a particular calendar year:

(I) Is not greater than 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the entire deficit shall be recovered through regular assessments of assessable insurers under paragraph (q) and assessable insureds.

(II) Exceeds 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the corporation shall levy regular assessments on assessable insurers under paragraph (q) and on assessable insureds in an amount equal to the greater of 2 percent of the projected deficit or 2 percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year. Any remaining projected deficit shall be recovered through emergency assessments under sub-subparagraph d.

b. Each assessable insurer’s share of the amount being assessed under sub-subparagraph a. must be in the proportion that the assessable insurer’s direct written premium for the subject lines of business for the year preceding the assessment bears to the aggregate statewide direct written premium for the subject lines of business for that year. The assessment percentage applicable to each assessable insured is the ratio of the amount being assessed under sub-subparagraph a. to the aggregate statewide direct written premium for the subject lines of business for the prior year. Assessments levied by the corporation on assessable insurers under sub-subparagraph a. must be paid as required by the corporation’s plan of operation and paragraph (q). Assessments levied by the corporation on assessable insureds under sub-subparagraph a. shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932, and paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to that office. Upon receipt of regular assessments from surplus lines agents, the Florida Surplus Lines Service Office shall transfer the assessments directly to the corporation as determined by the corporation.

c. After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i., the remaining projected deficits in the personal lines account and in the commercial lines account in a particular calendar year shall be recovered through emergency assessments under sub-subparagraph d.

d. Upon a determination by the *executive director, with the concurrence of the board of governors*, that a projected deficit in an account exceeds the amount that is expected to be recovered through regular assessments under sub-subparagraph a., plus the amount that is expected to be recovered through *policyholder* surcharges under sub-subparagraph i., the *executive director, with concurrence by the board*, after verification by the office, shall levy emergency assessments for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance policies. *The executive director shall notify the Financial Services Commission of the emergency assessments within 5 days after the board's concurrence with the executive director's determination that such assessments are necessary.* The amount collected in a particular year must be a uniform percentage of that year's direct written premium for subject lines of business and all accounts of the corporation, excluding National Flood Insurance Program policy premiums, as annually determined by the *executive director, with concurrence by the board*, and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. The office shall notify assessable insurers and the Florida Surplus Lines Service Office of the date on which assessable insurers shall begin to collect and assessable insureds shall begin to pay such assessment. The date ~~must be at least~~ ~~may be not less than~~ 90 days after the date the corporation levies emergency assessments pursuant to this sub-subparagraph. Notwithstanding any other provision of law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to that office. The emergency assessments collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and held by the corporation solely in the applicable account. The aggregate amount of emergency assessments levied for an account ~~under this sub-subparagraph~~ in any calendar year may be less than but not exceed the greater of 10 percent of the amount needed to cover the deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit, or 10 percent of the aggregate statewide direct written premium for subject lines of business and all accounts of the corporation for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the deficit.

e. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph (q), bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection, or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the *executive director, with the concurrence of the board*, determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes regular assessments under sub-subparagraph a. or subparagraph (q)1. and emergency assessments under sub-subparagraph d. Emergency assessments collected under sub-subparagraph d. are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments ~~under sub-subparagraph d.~~ shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or indebtedness.

f. As used in this subsection for purposes of any deficit incurred on or after January 25, 2007, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable in-

sureds for all property and casualty lines of business in this state, but not including workers' compensation or medical malpractice. As used in this sub-subparagraph, the term "property and casualty lines of business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers under s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program or the Federal Crop Insurance Program. For purposes of this sub-subparagraph, the term "workers' compensation" includes both workers' compensation insurance and excess workers' compensation insurance.

g. The Florida Surplus Lines Service Office shall ~~annually~~ *annually* determine the aggregate statewide written premium in subject lines of business procured by assessable insureds and report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.

h. The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for regular assessments and emergency assessments levied under this subparagraph on assessable insureds and assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.

i. ~~In 2008 or thereafter~~, Upon a determination by the board of governors that an account has a projected deficit, the board shall levy a Citizens policyholder surcharge against all policyholders of the corporation.

(I) The surcharge shall be levied as a uniform percentage ~~of the premium for the policy~~ of up to 15 percent of ~~the policy~~ such premium, which funds shall be used to offset the deficit.

(II) The surcharge is payable upon cancellation or termination of the policy, upon renewal of the policy, or upon issuance of a new policy by the corporation within the first 12 months after the date of the levy or the period of time necessary to fully collect the surcharge amount.

(III) The corporation may not levy any regular assessments under paragraph (q) pursuant to sub-subparagraph a. or sub-subparagraph b. with respect to a particular year's deficit until the corporation has first levied the full amount of the surcharge authorized by this sub-subparagraph.

(IV) The surcharge is not considered premium and is not subject to commissions, fees, or premium taxes. However, failure to pay the surcharge shall be treated as failure to pay premium.

j. If the amount of any assessments or surcharges collected from corporation policyholders, assessable insurers or their policyholders, or assessable insureds exceeds the amount of the deficits, such excess amounts shall be remitted to and retained by the corporation in a reserve to be used by the corporation, as determined by the *executive director, with the concurrence of the board of governors*, and approved by the office, to pay claims or reduce any past, present, or future plan-year deficits or to reduce outstanding debt.

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for

commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. ~~Such~~ ~~The~~ forms are applicable only to residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b) 2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. ~~Such~~ ~~The~~ forms are applicable only to nonresidential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. Effective January 1, 2013, the corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. *Must provide that the corporation and an authorized insurer may enter into a risk-sharing agreement for the purpose of reducing the corporation's exposure. As used in this subparagraph, the term "risk-sharing agreement" means an agreement between the corporation and an authorized insurer for the corporation to retain part, but not all, of the risk for a specified group of policies or specified perils within a group of policies, as part of the terms for removal of policies from the corporation.*

a. *Entering into a risk-sharing agreement is voluntary and at the discretion of the corporation and the authorized insurer. To avoid unnecessary expense, the executive director, with concurrence of the board of governors, may limit the corporation's participation in risk-sharing agreements to those participants capable and willing to assume a minimum of 25 percent of the exposure on at least 100,000 policies and may specify other limitations. A risk-sharing agreement in which the corporation retains part of the risk may not exceed 5 years.*

b. *The risk-sharing agreement may cover policies in any account and may cover any perils. The corporation may act as a reinsurer or a cedent under a risk sharing agreement or an excess of loss agreement. If the corporation is the reinsurer, the insurance policy forms and endorsements must be approved by the office, cover all perils that are the subject of the risk-sharing agreement, and cover at least the same limits as the corporation policies being replaced.*

c. *The terms of each risk-sharing agreement must ensure that the consideration received by the corporation is commensurate with the risk retained by the corporation and the risk assumed by the authorized insurer. The corporation may not share risk for bad faith.*

d. *The risk-sharing agreement must specify the proportion of exposure that the authorized insurer reports to the Florida Hurricane Catastrophe Fund and the exposure retained by the corporation. Each shall pay premium and receive reimbursements from the fund for the exposure that they retain or assume as provided in the risk-sharing agreement. The risk retained or assumed is eligible for coverage by the fund and is not considered reinsurance for purposes of coverage by the fund. However, the authorized insurer and the corporation may report participation in the risk sharing agreement on their financial statements as reinsurance if appropriate according to the characteristics of the agreement based on statutory accounting rules and instructions.*

e. *Notwithstanding any other provision of law:*

(I) *Policies offered coverage by the corporation or an authorized insurer through a risk-sharing agreement are not eligible for coverage by the corporation outside of the agreement; and*

(II) *A risk-sharing agreement between the corporation and an authorized insurer is not subject to the requirements of a take-out or keep-out program under s. 627.3517 and this subsection, except that the agreement must be filed by the authorized insurer with the office for review and approval before the execution of the agreement by the insurer.*

f. *To ensure that exposures are accurately reported to the Florida Hurricane Catastrophe Fund, the corporation and each insurer participating in a risk-sharing agreement under this subparagraph must report its exposure under covered policies to the fund as required under s.*

215.555(5)(c), including the requirement that, by September 1 of each year, each insurer notify the board of its insured values under covered policies as of June 30 of that year. Each report must also specify the percentage of liability applicable to the corporation and the percentage applicable to the insurer. Pursuant to its authority under s. 215.555, the State Board of Administration shall adopt rules to administer this subparagraph.

2. ~~Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.~~

a. ~~As used in this subsection, the term:~~

(I) ~~"Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.~~

(II) ~~"Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.~~

b. ~~The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.~~

e. ~~If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.~~

d. ~~Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.~~

e. ~~Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.~~

f. ~~For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.~~

g. ~~The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.~~

~~h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.~~

3.a. ~~May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, *Citizens* policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action not be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.~~

b. ~~May provide that the corporation employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. To ensure that the corporation is operating in an efficient and economic manner while providing quality service to policyholders, applicants, and agents, the board shall commission an independent third-party consultant having expertise in insurance company management or insurance company management consulting to prepare a report and make recommendations on the relative costs and benefits of outsourcing various policy issuance and service functions to private servicing carriers or entities performing similar functions in the private market for a fee, rather than performing such functions in-house. In making such recommendations, the consultant shall consider how other residual markets, both in this state and around the country, outsource appropriate functions or use servicing carriers to better match expenses with revenues that fluctuate based on a widely varying policy count. The report must be completed by July 1, 2012. Upon receiving the report, the executive director, with the concurrence of the board, shall develop a plan to implement the report and submit the plan for review, modification, and approval to the Financial Services Commission. Upon the commission's approval of the plan, the board shall begin implementing the plan by January 1, 2013.~~

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of ~~nine~~ ~~eight~~ individuals who are residents of this state and who are, from different geographical areas of ~~this~~ state, one of whom is appointed by the Governor and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Governor is in addition to the appointments authorized under sub-subparagraph a.

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. All board members, except those appointed by the speaker, must be confirmed by the Senate during the legislative session following their appointment. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and must be deemed to be within the scope of the exemption provided under ~~in~~ s. 112.313(7)(b). The Chief Financial

Officer shall designate one of the appointees as chair for the purpose of presiding over the orderly conduct of meetings. An appointee serves as chair for no more than one term. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members, including the chair, shall ~~must~~ be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the executive director and the board in connection with the corporation's board's duties under this subsection. The executive director shall be appointed by and serve at the pleasure of the Governor and the Chief Financial Officer. ~~and~~ Senior managers of the corporation shall be appointed by the executive director, with the concurrence of ~~engaged by~~ the board, and serve at the pleasure of the executive director board. Appointment of the ~~Any~~ executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate upon original appointment and upon the election or reelection of the Governor and Chief Financial Officer if retained. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms, serve at the pleasure of the board of governors, and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues that which may include rates and rate competition within with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage by the corporation which applies to both new and renewal policies, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. For renewal policies, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from an authorized insurer is more than 5 percent higher than the premium for comparable coverage from the corporation. If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. However, a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer. The corporation shall determine the type of policy to be provided on the basis of

objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record ~~of the policy~~ for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record ~~of the policy~~ to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

b. With respect to commercial lines residential risks, ~~for a new application to the corporation for coverage~~, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. ~~However, a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period remains eligible for coverage from the corporation regardless of an offer of coverage from an authorized insurer or surplus lines insurer.~~

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record ~~of the policy~~, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record ~~of the policy~~ to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

c. For purposes of determining comparable coverage under sub-sub-paragraphs a. and b., the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure ~~only~~ on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the coastal account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess ~~shall~~ be held in surplus in the account. Such surplus must be available to defray deficits in that account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures ~~that are to be~~ uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

10. *Must provide that* the policies issued by the corporation ~~must~~ provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. *Must provide that* corporation policies and applications ~~must~~ include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. Must provide that, with respect to the coastal account, any assessable insurer *that has with* a surplus as to policyholders of \$25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may ~~petition the office~~, within the first 90 days of each calendar year, *petition the office* to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds. ~~The, but a~~ limited apportionment company must begin collecting the regular assessments *within not later than* 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d. may not be limited or deferred.

14. Must provide that the corporation appoint as its licensed agents only those agents who *at the time of initial appointment* also hold an appointment as defined in s. 626.015(3) with an insurer who ~~at the time of the agent's initial appointment by the corporation~~ is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial non-residential property coverage within the state. *As a condition of continued appointment, agents of the corporation must maintain appropriate documentation specified by the corporation which warrants and certifies that alternative coverage was annually sought for each risk placed by that agent with the corporation in accordance with s. 627.3518. After January 1, 2014, if an agent places a policy with the corporation which was ineligible for coverage based on eligibility standards at the time of placement, agent commissions may not be paid on that policy.*

15. Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. *Must make available a policy for mobile homes or manufactured homes with a minimum insured value of at least \$3,000. Must limit* Coverage on mobile homes or manufactured homes built before 1994 *is limited* to actual cash value of the dwelling rather than replacement

costs of the dwelling. *Such coverage must also include the following attached structures:*

a. *Screened enclosures that are aluminum framed or that are not covered by the same or substantially the same materials as those of the primary dwelling;*

b. *Carports that are aluminum or that are not covered by the same or substantially the same materials as those of the primary dwelling; and*

c. *Patios that have a roof covering constructed of materials that are not the same or substantially the same materials as those of the primary dwelling.*

17. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

19. Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

20. *Must, as of July* ~~January 1, 2014 2012,~~ ~~must~~ require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

ACKNOWLEDGMENT OF POTENTIAL SURCHARGE
AND ASSESSMENT LIABILITY:

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. *I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.*

3. ~~2.~~ I ~~ALSO~~ UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

4. ~~3.~~ I ~~ALSO~~ UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

a. The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of *his or her* ~~the first~~ renewal after the effective date of this subparagraph.

b. The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

(g) The *executive director, with the concurrence of the* board, shall determine whether it is more cost-effective and in the best interests of the corporation to use legal services provided by in-house attorneys employed by the corporation rather than contracting with outside

counsel. In making such determination, the board shall document its findings and ~~shall~~ consider: the expertise needed; whether time commitments exceed in-house staff resources; whether local representation is needed; the travel, lodging and other costs associated with in-house representation; and such other factors that the board determines are relevant.

(i)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by ~~an any~~ employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the *executive director and the* board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. *Cooperate and coordinate activities with the corporation's inspector general.*

~~e. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.~~

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(m)1. The Auditor General shall conduct an operational audit of the corporation ~~annually every 3 years~~ to evaluate management's performance in administering laws, policies, and procedures governing the operations of the corporation in an efficient and effective manner. The scope of the review ~~must shall~~ include, but is not limited to, evaluating claims handling, customer service, take-out programs and bonuses; financing arrangements made to address a 100-year probable maximum loss; personnel costs and administration; underwriting, including processes designed to ensure compliance with policy eligibility requirements of law; procurement of goods and services; internal controls; ~~and the~~ internal audit function; and related internal controls. A copy of the report shall be provided to the corporation's board, the President of the Senate, the Speaker of the House of Representatives, each member of the Financial Services Commission, and the Office of Insurance Regulation. The initial audit must be completed by February 1, ~~2009~~.

2. *The executive director, with the concurrence of the board, shall contract with an independent auditing firm to conduct a performance audit of the corporation every 2 years. The objectives of the audit include, but are not limited to, an evaluation, within the context of insurance industry best practices, of the corporation's strategic planning processes, the functionality of the corporation's organizational structure, the compensation levels of senior management, and the overall management and*

operations of the corporation. A copy of the audit report shall be provided to the corporation's board, the President of the Senate, the Speaker of the House of Representatives, each member of the Financial Services Commission, the Office of Insurance Regulation, and the Auditor General. The initial audit must be completed by June 1, 2014.

(q)1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems ~~to be~~ necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessments due from each assessable insurer, including, if prudent, filing suit to collect the assessments, and the office may provide such assistance to the corporation it deems appropriate. If the corporation is unable to collect an assessment from any assessable insurer, the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against ~~the such~~ nonpaying assessable insurer. Assessments ~~must shall~~ be included as ~~an appropriate factor~~ in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is ~~considered to be~~ a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.

2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 ~~from time to time~~ to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, ~~the any~~ unit of local government, ~~any residents of which are insured by the corporation,~~ may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 ~~which makes~~ making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into ~~such~~ contracts with the corporation and with any other entity created pursuant to this subsection as ~~are~~ necessary to carry out this paragraph. Any bonds issued ~~are under this subparagraph shall be~~ payable from and secured by moneys received by the corporation from emergency assessments under sub-subparagraph (b)3.d., and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government ~~may shall~~ not be pledged for the payment of such bonds.

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings ~~by in~~ the corporation. *The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings.*

a. *The corporation may adopt a credit against assessment liability or other liability which provides an incentive for insurers to take and keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated, and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings is relieved, wholly or partially, from assessments under sub-subparagraph (b)3.a.*

b. ~~Beginning January 1, 2008,~~ Any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation ~~must shall~~ comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed. ~~The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides~~

~~an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments under sub-subparagraph (b)3.a. However, Any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured. If ~~When~~ the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:~~

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record ~~of the policy~~ to continue servicing the policy for ~~at least a period of not less than~~ 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

~~c.b.~~ Any credit or exemption from regular assessments adopted under this subparagraph shall last ~~up to no longer than the~~ 3 years ~~after following~~ the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

~~d.e.~~ ~~There shall be no~~ credit, limitation, exemption, or deferment from emergency assessments ~~to be~~ collected from policyholders pursuant to sub-subparagraph (b)3.d. ~~is prohibited.~~

4. The corporation plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.d., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. ~~If in the event~~ an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).

5. ~~Effective July 1, 2007,~~ In order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

6. Any policy taken out, assumed, or removed from the corporation is, as of the effective date of the take-out, assumption, or removal, direct insurance issued by the insurer and not by the corporation, even if the corporation continues to service the policies. This subparagraph applies to policies of the corporation and not policies taken out, assumed, or removed from any other entity.

6. *The corporation may adopt one or more programs to encourage authorized insurers to remove policies from the corporation through a loan from the corporation to an insurer secured by a surplus note that contains such necessary and reasonable provisions as the corporation requires. Such surplus note is subject to the review and approval of the office pursuant to s. 628.401. The corporation may include, but is not limited to, provisions regarding the maximum size of a loan to an insurer, capital matching requirements, the relationship between the aggregate number of policies or amount of loss exposure removed from the association and the amount of a loan, retention requirements related to policies removed from the corporation, and limitations on the number of insurers receiving loans from the corporation under any one management*

group in whatever form or arrangement. If a loan secured by a surplus note is provided to a new mutual insurance company, the corporation may require the board of the new mutual insurer to have a majority of independent board members, may restrict the ability of the new mutual insurer to convert to a stock insurer while the mutual insurer owes any principal or interest under the surplus note to the corporation, establish a capital match requirement of up to \$1 of private capital for each \$4 of the corporation's loan to a new mutual insurer, and limit the eligibility of a new mutual insurer for a waiver of the ceding commission traditionally associated with take-out programs from the corporation to those new mutual insurers that agree contractually to maintain an expense ratio below 20 per cent of written premium. For this purpose, the term "expense ratio" means the sum of agent commissions and other acquisition expenses; general and administrative expenses; and premium taxes, licenses, and fees, divided by the gross written premium.

(t) For the purposes of s. 199.183(1), the corporation ~~is shall be~~ ~~considered~~ a political subdivision of the state and ~~is shall be~~ exempt from the corporate income tax. The premiums, assessments, investment income, and other revenue of the corporation are funds received for providing property insurance coverage as required by this subsection, paying claims for ~~state residents Florida citizens~~ insured by the corporation, securing and repaying debt obligations issued by the corporation, and conducting all other activities of the corporation, and ~~are shall~~ not be considered taxes, fees, licenses, or charges for services imposed by the Legislature on individuals, businesses, or agencies outside state government. Bonds and other debt obligations issued by or on behalf of the corporation are not to be considered "state bonds" within the meaning of s. 215.58(8). ~~The corporation is not subject to the procurement provisions of chapter 287, and~~ Policies and decisions of the corporation relating to incurring debt, levying of assessments and the sale, issuance, continuation, terms and claims under corporation policies, and all services relating thereto, are not subject to ~~the provisions of~~ chapter 120. The corporation is not required to obtain or to hold a certificate of authority issued by the office, nor is it required to participate as a member insurer of the Florida Insurance Guaranty Association. However, the corporation is required to pay, in the same manner as an authorized insurer, assessments levied by the Florida Insurance Guaranty Association. It is the intent of the Legislature that the tax exemptions provided in this paragraph ~~will~~ augment the financial resources of the corporation to better enable the corporation to fulfill its public purposes. Any debt obligations issued by the corporation, their transfer, and the income therefrom, including any profit made on the sale thereof, ~~is shall~~ at all times be free from taxation of every kind by the state and any political subdivision or local unit or other instrumentality thereof; however, this exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the corporation.

(z) In enacting the provisions of this section, the Legislature recognizes that both the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association have entered into financing arrangements that obligate each entity to service its debts and maintain the capacity to repay funds secured under these financing arrangements. It is the intent of the Legislature that ~~nothing in~~ this section ~~not~~ be construed to compromise, diminish, or interfere with the rights of creditors under such financing arrangements. It is further the intent of the Legislature to preserve the obligations of the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting Association with regard to outstanding financing arrangements, with such obligations passing entirely and unchanged to the corporation and, specifically, to the applicable account of the corporation. So long as any bonds, notes, indebtedness, or other financing obligations of the Florida Windstorm Underwriting Association or the Residential Property and Casualty Joint Underwriting Association are outstanding, under the terms of the financing documents pertaining to them, ~~the executive director of the corporation, with the concurrence of the governing board, of the corporation~~ shall have and shall exercise the authority to levy, charge, collect, and receive all premiums, assessments, surcharges, charges, revenues, and receipts that the associations had authority to levy, charge, collect, or receive under the provisions of subsection (2) and this subsection, respectively, as they existed on January 1, 2002, to provide moneys, without exercise of the authority provided by this subsection, in at least the amounts, and by the times, as would be provided under those former provisions of subsection (2) or this subsection, respectively, so that the value, amount, and collectability of any assets, revenues, or

revenue source pledged or committed to, or any lien thereon securing such outstanding bonds, notes, indebtedness, or other financing obligations ~~is will~~ not be diminished, impaired, or adversely affected by the amendments made by this section ~~and~~ to permit compliance with all provisions of financing documents pertaining to such bonds, notes, indebtedness, or other financing obligations, or the security or credit enhancement for them, and any reference in this subsection to bonds, notes, indebtedness, financing obligations, or similar obligations, of the corporation ~~must shall~~ include like instruments or contracts of the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association to the extent not inconsistent with the ~~provisions of the~~ financing documents pertaining to them.

(gg) *The Office of Inspector General is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency. The office shall be headed by an inspector general, which is a senior management position that involves planning, coordinating, and performing activities assigned to and assumed by the inspector general for the corporation.*

1. *The inspector general shall be appointed by the Financial Services Commission and may be removed from office only by the commission. The inspector general shall be appointed without regard to political affiliation.*

a. *At a minimum, the inspector general must possess a bachelor's degree from an accredited college or university and 8 years of professional experience related to the duties of an inspector general as described in this paragraph, of which 5 years must have been at a supervisory level.*

b. *Until June 30, 2014, the inspector general shall be under the general supervision of the Financial Services Commission and not subject to the supervision of any employee of the corporation. Beginning July 1, 2014, the inspector general shall report to, and be under the supervision of, the chair of the board of governors. The executive director or corporation staff may not prevent or prohibit the inspector general from initiating, carrying out, or completing any review, evaluation, or investigation.*

2. *The inspector general shall initiate, direct, coordinate, participate in, and perform studies, reviews, evaluations, and investigations designed to assess management practices; compliance with laws, rules, and policies; and program effectiveness and efficiency. This includes:*

a. *Conducting internal examinations; investigating allegations of fraud, waste, abuse, malfeasance, mismanagement, employee misconduct, or violations of corporation policies; and conducting any other investigations as directed by the Financial Services Commission or as independently determined.*

b. *Evaluating and recommending actions regarding security, the ethical behavior of personnel and vendors, and compliance with rules, laws, policies, and personnel matters; and rendering ethics opinions.*

c. *Overseeing or participating in personnel and administrative policy compliance and management, operational reviews, and conducting and selecting human resources-related advice and consultation.*

d. *In conjunction with the ethics and compliance officer, evaluating the application of a corporation code of ethics, providing input on the design and content of ethics-related policy training courses, educating employees on the code and on appropriate conduct, and checking for compliance.*

e. *Participating in policy development and review. This includes working collaboratively with the ethics and compliance officer in the creation, modification, and maintenance of personnel and administrative services policies and in the identification of policy enhancements; and researching policy-related issues.*

f. *Participating in the activities of the senior management team and evaluating the management's compliance with recommended solutions.*

g. *Cooperating and coordinating activities with the chief of internal audit, but not conducting internal audits.*

h. *Maintaining records of investigations and discipline in accordance with established policies.*

i. *Supervising and directing the tasks and assignments of the staff assigned to assist with the inspector general's projects. This includes regular review and feedback regarding work in progress and upon completion and providing input regarding relevant training and staff development activities as warranted.*

j. *Directing, planning, preparing, and presenting interim and final reports and oral briefings to the Financial Services Commission and the executive director which communicate the results of studies, reviews, and investigations.*

k. *Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.*

l. *Providing the executive director and board chairman with independent and objective assessments of programs and activities.*

m. *Complying with the General Principles and Standards for Offices of Inspector General as published and revised by the Association of Inspectors General.*

3. *At least annually, the inspector general shall provide a report to the President of the Senate and the Speaker of the House of Representatives regarding the corporation's clearinghouse and the extent to which policies are being returned to the voluntary market. This report must include an analysis regarding the effectiveness of the clearinghouse in encouraging voluntary market participation in depopulation.*

Section 8. Effective October 1, 2013, paragraph (e) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(e) *The corporation is subject to s. 287.057 for the purchase of commodities and contractual services except as otherwise provided in this paragraph. Services provided by tradepersons or technical experts to assist a licensed adjuster in the evaluation of individual claims are not subject to the procurement requirements of this section. Additionally, the procurement of financial services providers and underwriters must be made pursuant to s. 627.3513. Purchases that equal or exceed \$2,500, but are less than \$25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, whenever practical. The procurement of goods or services valued at or over \$25,000 shall be subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(3)(f); or the procurement of services is subject to s. 627.3513. Justification for the sole sourcing or emergency procurement must be documented. Contracts for goods or services valued at or more than over \$100,000 are subject to approval by the board.*

1. *The corporation is an agency for the purposes of s. 287.057, except for subsection (22) of that section for which the corporation is an eligible user.*

a. *The authority of the Department of Management Services and the Chief Financial Officer under s. 287.057 extends to the corporation as if the corporation were an agency.*

b. *The executive director of the corporation is the agency head under s. 287.057, except for resolution of bid protests for which the board would serve as the agency head.*

2. *The corporation must provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. Such notice must contain the following statement: "Failure to file a protest within the time prescribed in this section constitutes a waiver of proceedings."*

a. *A person adversely affected by the corporation's decision or intended decision to award a contract pursuant to s. 287.057(1) or s. 287.057(3)(c) who elects to challenge the decision must file a written notice*

of protest with the executive director of the corporation within 72 hours after the corporation posts a notice of its decision or intended decision. For a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest must be filed in writing within 72 hours after the posting of the solicitation. Saturdays, Sundays, and state holidays are excluded in the computation of the 72-hour time period.

b. A formal written protest must be filed within 10 days after the date the notice of protest is filed. The formal written protest must state with particularity the facts and law upon which the protest is based. Upon receipt of a formal written protest that has been timely filed, the corporation must stop the solicitation or contract award process until the subject of the protest is resolved by final board action unless the executive director sets forth in writing particular facts and circumstances that require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare. The corporation must provide an opportunity to resolve the protest by mutual agreement between the parties within 7 business days after receipt of the formal written protest. If the subject of a protest is not resolved by mutual agreement within 7 business days, the corporation's board must place the protest on the agenda and resolve it at its next regularly scheduled meeting. The protest must be heard by the board at a publicly noticed meeting in accordance with procedures established by the board.

c. In a protest of an invitation-to-bid or request-for-proposals procurement, submissions made after the bid or proposal opening which amend or supplement the bid or proposal may not be considered. In protesting an invitation-to-negotiate procurement, submissions made after the corporation announces its intent to award a contract, reject all replies, or withdraw the solicitation that amends or supplements the reply may not be considered. Unless otherwise provided by law, the burden of proof rests with the party protesting the corporation's action. In a competitive-procurement protest, other than a rejection of all bids, proposals, or replies, the corporation's board must conduct a *de novo* proceeding to determine whether the corporation's proposed action is contrary to the corporation's governing statutes, the corporation's rules or policies, or the solicitation specifications. The standard of proof for the proceeding is whether the corporation's action was clearly erroneous, contrary to competition, arbitrary, or capricious. In any bid-protest proceeding contesting an intended corporation action to reject all bids, proposals, or replies, the standard of review by the board is whether the corporation's intended action is illegal, arbitrary, dishonest, or fraudulent.

d. Failure to file a notice of protest or failure to file a formal written protest constitutes a waiver of proceedings.

3. Contract actions and decisions by the board under this paragraph are final. Any further legal remedy must be made in the Circuit Court of Leon County.

Section 9. The purchase of commodities and contractual services by Citizens Property Insurance Corporation commenced before October 1, 2013, is governed by the law in effect on September 30, 2013.

Section 10. Effective January 1, 2014, paragraph (n) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(n)1. ~~Rates for coverage provided by the corporation must be actuarially sound and subject to s. 627.062. Except as otherwise provided in this paragraph, rates for coverage provided by the corporation must be actuarially sound and not competitive with approved rates charged in the admitted voluntary market in order for the corporation to function as a residual market mechanism that provides insurance only if insurance cannot be procured in the voluntary market.~~

a. In establishing actuarially sound rates the corporation shall include an appropriate catastrophe risk load factor that reflects the actual catastrophic risk exposure retained by the corporation.

b. The corporation shall file its recommended rates with the office at least annually. ~~The corporation shall provide any additional information regarding the rates which the office requires. The office shall consider the recommendations of the board and issue a final order establishing the rates for the corporation within 45 days after the recommended rates are filed. The corporation may not pursue an administrative challenge or judicial review of the final order of the office.~~

c. ~~In territories located in a county where the corporation provides more than 75 percent of personal lines residential policies providing wind coverage, subparagraph 3. applies to all new personal lines residential policies written by the corporation in such territories.~~

2. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided in s. 624.509 to augment the financial resources of the corporation.

~~3. After the public hurricane loss projection model under s. 627.06281 has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology, the model shall serve as the minimum benchmark for determining the windstorm portion of the corporation's rates. This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.~~

4. ~~The rate filings for the corporation which were approved by the office and took effect January 1, 2007, are rescinded, except for those rates that were lowered. As soon as possible, the corporation shall begin using the lower rates that were in effect on December 31, 2006, and provide refunds to policyholders who paid higher rates as a result of that rate filing. The rates in effect on December 31, 2006, remain in effect for the 2007 and 2008 calendar years except for any rate change that results in a lower rate. The next rate change that may increase rates shall take effect pursuant to a new rate filing recommended by the corporation and established by the office, subject to this paragraph.~~

~~5. Beginning on July 15, 2009, and annually thereafter, the corporation must make a recommended actuarially sound rate filing for each personal and commercial line of business it writes, to be effective no earlier than January 1, 2010.~~

~~3.6. Beginning on or after January 1, 2010, and notwithstanding the board's recommended rates and the office's final order regarding the corporation's filed rates under subparagraph 1., The corporation shall annually implement a rate increase that which, except for sinkhole coverage, does not exceed 10 percent for any single policy issued by the corporation, excluding coverage changes and surcharges, for residential policyholders who:~~

a. ~~Were initially insured by the corporation before January 1, 2014, and who have been continuously insured by the corporation since that date; or~~

b. ~~Were previously insured with the corporation on or before December 31, 2013, were continuously insured with the corporation until being depopulated by a private insurer on or after January 1, 2014, and who, through no fault of their own, were nonrenewed by the private insurer within 18 months after being removed from the corporation and, after submitting an application to the clearinghouse pursuant to the rating requirements of s. 627.3518(5)(a), are eligible for coverage with the corporation.~~

4.7. The corporation may also implement an increase to reflect the effect on the corporation of the cash buildup factor pursuant to s. 215.555(5)(b).

~~5.8. The corporation's implementation of rates as prescribed in subparagraph 3. 6. shall cease for any line of business written by the corporation upon the corporation's implementation of actuarially sound rates. Thereafter, the corporation shall annually make a recommended actuarially sound rate filing implementing such rates for each commercial and personal line of business the corporation writes.~~

6. ~~The corporation shall annually certify to the office that its rates comply with the requirements of this paragraph. If any adjustment in the rates or rating factors of the corporation is necessary to ensure such compliance, the corporation shall make and implement such adjustments~~

and file its revised rates and rating factors with the office. If the office thereafter determines that the revised rates and rating factors fail to comply with this paragraph, it shall notify the corporation and require the corporation to amend its rates or rating factors in conjunction with its next rate filing. The office must notify the corporation by electronic means of any rate filing it approves for any insurer among the insurers referred to in this paragraph.

7. By January 1, 2014, the board shall provide recommendations to the Legislature on how to provide relief to a policyholder whose premium reflects the full rate required under subparagraph 1. and who demonstrates a financial need at the time of application or renewal, including the impact of any phase-in pursuant to s. 627.0629 of required rates under subparagraph 1.

Section 11. Section 627.3518, Florida Statutes, is created to read:

627.3518 *Citizens Property Insurance Corporation clearinghouse.*—The Legislature recognizes that Citizens Property Insurance Corporation has authority to establish a clearinghouse as a separate organizational unit within the corporation for the purpose of determining the eligibility of new and renewal risks, excluding commercial residential, seeking coverage through the corporation and facilitating the identification and diversion of ineligible applicants and current policyholders from the corporation into the voluntary insurance market. The purpose of this section is to augment that authority by providing a framework for the corporation to implement such program by January 1, 2014.

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

(a) “Clearinghouse” means the clearinghouse diversion program created under this section.

(b) “Corporation” means Citizens Property Insurance Corporation.

(c) “Exclusive agent” means a licensed insurance agent who has agreed, by contract, to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

(d) “Independent agent” means a licensed insurance agent not described in paragraph (c).

(2) In order to confirm eligibility with the corporation and to enhance the access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized and eligible insurers, the corporation shall establish a clearinghouse for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market, and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by July 1, 2015.

(3) The clearinghouse has the same rights and responsibilities in carrying out its duties as a licensed general lines agent, but is not required to employ or engage a licensed general lines agent or to maintain an insurance agency license in order to solicit and place insurance coverage. In establishing the clearinghouse, the corporation may:

(a) Require all new applications and all policies due for renewal to be submitted to the clearinghouse in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.

(b) Employ or otherwise contract with individuals or other entities to provide administrative or professional services in order to carry out the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.

(c) Enter into a contract with an authorized or eligible insurer participating in the clearinghouse and accept an appointment by such insurer.

(d) Provide funds to operate the clearinghouse. Insurers and agents participating in the clearinghouse are not required to pay a fee to offset or

partially offset the cost of the clearinghouse, or use the clearinghouse for the renewal of policies initially written through the clearinghouse.

(e) Develop an enhanced application for obtaining information that will assist private insurers in determining whether to make an offer of coverage through the clearinghouse.

(f) Before approving new applications for coverage by the corporation, require that every application be subject to a period of 2 business days during which an insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for at least 30 days but not more than 60 days.

(4) An authorized or eligible insurer may participate in the clearinghouse; however, participation is not mandatory. An insurer that makes an offer of coverage to a new applicant or renews a policy for a policyholder through the clearinghouse:

(a) Is not required to individually appoint an agent whose customer is underwritten and bound through the clearinghouse. Notwithstanding s. 626.112, an insurer is not required to appoint an agent on a policy underwritten through the clearinghouse if that policy remains with the insurer. An insurer may appoint an agent whose customer is initially underwritten and bound through the clearinghouse. If an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph and thereafter accepts a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.

(b) Must enter into a limited agency agreement with each agent who is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the clearinghouse.

(c) Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the clearinghouse if that agent has been appointed by the insurer pursuant to s. 626.112.

(d) Must comply with s. 627.4133(2).

(e) Must allow authorized or eligible insurers participating in the clearinghouse to participate through their single, designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations apply.

(f) Must pay the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.

(5)(a) Notwithstanding s. 627.3517, an applicant for new coverage is not eligible for coverage from the corporation if the applicant is offered coverage from an authorized insurer through the clearinghouse at a premium that is at or below the eligibility threshold established under s. 627.351(6)(c)5.a.

(b) Notwithstanding any other provisions of law, if a renewing policyholder of the corporation is offered coverage from an authorized insurer for a personal lines risk at a premium that is no more than 5 percent above the corporation’s renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.

(c) Notwithstanding s. 626.916(1), if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an authorized insurer, the applicant may choose to accept an offer of coverage from an eligible insurer or its broker under ss. 626.913-626.937. Such offer of coverage from an eligible insurer does not make the risk ineligible for coverage with the corporation.

(d) An applicant for new or renewal coverage from the corporation may choose to accept any offer of coverage received through the clearinghouse from an authorized insurer.

(e) Section 627.351(6)(c)5.a.(I) and b.(I) does not apply to an offer of coverage from an authorized insurer obtained through the clearinghouse.

(f) The 45-day notice of nonrenewal required under s. 627.4133(2)(b) 4.b. applies when a policy is nonrenewed by the corporation because the risk has received an offer of coverage pursuant to this section which renders the risk ineligible for coverage by the corporation.

(6) An independent agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:

(a) Is granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.

(b) Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.

(c) May accept an appointment from an insurer participating in the clearinghouse.

(d) May enter into a standard or limited agency agreement with the insurer, at the insurer's option.

An applicant ineligible for coverage under subsection (5) remains ineligible if the applicant's independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the clearinghouse.

(7) An exclusive agent who submits a new application for coverage or who is the agent of record on a renewal policy submitted to the clearinghouse:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such application or renewal written through the corporation or through an insurer participating in the clearinghouse, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). A contract with the corporation or required by the corporation may not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application or issue a policy or for any other purpose necessary for placing business through the clearinghouse.

(b) Is not required to be appointed by an insurer participating in the clearinghouse for policies written solely through the clearinghouse, notwithstanding s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and may do so only after the exclusive agent's insurer has approved the terms of the agreement. The exclusive agent's insurer must approve a limited service agreement for the clearinghouse if the insurer has approved a service agreement with the agent for other purposes.

An applicant is ineligible for coverage under subsection (5) if the applicant's exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(8) Submission of an application to the clearinghouse for coverage by the corporation does not constitute the binding of coverage, and the failure of the clearinghouse to obtain an offer of coverage by an insurer is not considered acceptance of coverage of the risk by the corporation.

(9) The clearinghouse may not include commercial nonresidential policies.

Section 12. Section 627.3519, Florida Statutes, is amended to read:

627.3519 Annual report of aggregate net probable maximum losses, financing options, and potential assessments.—By ~~no later than~~ Feb-

ruary 1 of each year, the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation ~~Financial Services Commission~~ shall provide to the Legislature a report of their aggregate net probable maximum losses, financing options, and potential assessments to the Legislature and the Financial Services Commission of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation. Each report must include the respective 50-year, 100-year, and 250-year probable maximum losses of the fund and the corporation; analysis of all reasonable financing strategies for each such probable maximum loss, including the amount and term of debt instruments and risk transfer products; specification of the percentage assessments that would be needed to support each of the financing strategies; and calculations of the aggregate assessment burden on Florida property and casualty policyholders for each of the probable maximum losses. ~~The commission shall require the fund and the corporation to provide the commission with such data and analysis as the commission considers necessary to prepare the report.~~

Section 13. Temporary keepout program.—Citizens Property Insurance Corporation shall implement a temporary keepout program beginning July 1, 2013, and ending on the date the clearinghouse program established under s. 627.3518, Florida Statutes, is operational.

(1) Subject to procedures adopted by the corporation, the program shall provide an opportunity for new applicants for personal residential multiperil coverage with the corporation to be offered coverage with authorized insurers through the market assistance plan established under s. 627.3515, Florida Statutes.

(2) The program is subject to all of the following:

(a) The corporation may not accept a new personal residential multiperil application for coverage within 72 hours after submission of the risk to the market assistance plan under subsection (1).

(b) Section 627.3517, Florida Statutes, relating to consumer choice of agent does not apply to applications for coverage accepted by authorized insurers under the program.

(c) Insurers issuing policies under this section are subject to s. 627.3518(3), Florida Statutes, relating to agent appointment, and are not subject to s. 627.351(6)(c)5.a.(I), Florida Statutes, relating to agent payment.

(d) Notwithstanding s. 626.916(1), Florida Statutes, if an applicant for new or renewal coverage from the corporation does not receive an offer of coverage from an eligible insurer, the applicant may accept an offer from a designated broker of an insurer eligible under ss. 626.913-626.937, Florida Statutes.

(e) An exclusive agent must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

An applicant is ineligible for coverage if the applicant's agent is unwilling or unable to enter into a standard or limited agency agreement with a participating insurer making an offer of coverage to that applicant.

(3) This section expires on January 1, 2014, or when the clearinghouse program established under s. 627.3518, Florida Statutes, becomes operational, whichever occurs first.

Section 14. Section 627.352, Florida Statutes, is created to read:

627.352 Catastrophe Risk Capital Access Facility.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds and declares that:

(a) A growing and competitive private sector market for residential property insurance is in the public interest.

(b) The global market for catastrophe risk has expanded dramatically, resulting in the availability of billions of dollars in additional risk capital for insurers and new and innovative alternative risk-transfer mechanisms.

(c) Having access to additional risk capital and risk-transfer mechanisms provides an opportunity for property insurers in this state to

expand their capacity to write additional business and diversify their catastrophe risk, which will serve the public interest of fostering private sector market growth.

(d) Despite an expansion in the amount of available global risk capital, state property insurers in general, and smaller state property insurers in particular, face challenges accessing global markets if the relatively small amount of risk finance required by any one company is not economically viable in the larger global market.

(e) It is the intent of the Legislature to establish a self-regulating mechanism to facilitate the access of property insurers generally, and smaller property insurers in particular, to global risk capital markets and risk-transfer mechanisms for property risks in this state.

(2) **FACILITY CREATED.**—A nonprofit association, to be known as the Catastrophe Risk Capital Access Facility, is hereby created.

(a) The facility must operate pursuant to a plan of operation adopted by the governing board, except that the initial plan of operation shall be recommended by the initial governing board and adopted by the office after consultation with potential participating insurers and other interested parties.

(b) The facility is not intended to be, and may not function as, an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission.

(3) **MEMBERSHIP.**—An insurer holding a certificate of authority to transact property insurance in this state is eligible to become a member of the facility. To become a member, an insurer must file a declaration of intent with the office by September 30, 2013.

(4) **INITIAL GOVERNING BOARD.**—

(a) Each insurer that timely files a declaration under subsection (3) is a member of the initial governing board of the facility and has a vote proportional to its share of direct premium for property insurance written in this state as of December 31, 2012. At a minimum, three insurers must file a declaration of intent to constitute an initial governing board and activate the facility.

(b) The initial governing board must hold its first meeting at a time and place specified by the office. At the first meeting, the initial governing board must elect one of its members to serve as chair.

(c) The initial governing board must submit a recommended plan of operation to the office by December 1, 2013. The initial governing board may retain staff or professionals to assist in the preparation of the proposed plan of operation.

(d) The initial governing board must provide the presiding officers and minority party leaders of the Legislature with recommendations and draft legislation addressing the facility's need, if any, for exemptions from public records and open meetings laws by December 31, 2013.

(e) The functions of the initial governing board terminate upon the election of a governing board as provided in the plan of operation.

(5) **GOVERNING BOARD.**—Beginning on the effective date of the plan of operation, the facility shall operate under a seven-member governing board composed of representatives of member insurers, appointed as specified in the plan of operation.

(6) **PLAN OF OPERATION.**—The plan of operation:

(a) Must specify the following functions of the facility:

1. Aggregating the demand of members for risk finance for state property risks from global capital markets.

2. Designing and executing risk-transfer tools such as insurance-linked securities and other appropriate instruments for state property risks for members; using special purpose vehicles or onshore or offshore protected cells, as appropriate, to increase members' access to risk capital for state property risks; and making use of any other financial instruments or reinsurance or pooling arrangements that may develop in the market.

3. Identifying and coordinating appropriate risk-transfer products and opportunities for state property risks, initially targeting layers of coverage below, alongside, and above the coverage provided by the Florida Hurricane Catastrophe Fund.

4. Establishing and maintaining regular and ongoing contact with global risk capital market participants, institutions, and investors in order to identify opportunities that satisfy and coordinate with insurer demand for additional risk capital for state property risks.

(b) Must provide that in conducting its affairs, the facility may not:

1. Take a position in, or provide financial support for, any risk-transfer transaction.

2. Be a guarantor of premium or make any other financial guarantees to a member.

3. Enter into any contract on the part of the state or create any state contractual obligations.

4. Impose or levy any taxes, assessments, or similar charges.

(c) Must provide for funding the expenses of the facility, including an initial charge that applies to all members and subsequent charges to members on a pro rata basis.

(d) Must provide additional annual enrollment periods for eligible insurers to become members of the facility.

(e) Must provide for the election and terms of the governing board.

(f) May provide for the appointment or retention of staff and professionals as the governing board deems appropriate.

(g) Must require the facility to submit a biennial report and annual independent audits to the members of the Financial Services Commission and the presiding officers of the Legislature by December 31 of each even-numbered year beginning in 2014.

(7) **IMMUNITY FROM LIABILITY.**—No liability on the part of, and no cause of action of any nature, may arise against the facility or its agents or employees, the governing board, or the department or office or their representatives for any action taken by them in the performance of their powers and duties under this section.

Section 15. Subsection (1) of section 627.410, Florida Statutes, is amended to read:

627.410 Filing, approval of forms.—

(1) A ~~no~~ basic insurance policy or annuity contract form, or application form where written application is required and is to be made a part of the policy or contract, ~~or~~ group certificates issued under a master contract delivered in this state, or printed rider or endorsement form or form of renewal certificate, ~~may not shall~~ be delivered or issued for delivery in this state, unless the form has been filed with the office by or ~~on~~ ~~in~~ behalf of the insurer ~~that which~~ proposes to use such form and has been approved by the office. This provision does not apply to surety bonds or to policies, riders, endorsements, or forms of unique character ~~that which~~ are designed for and used with ~~relation to~~ insurance ~~on upon~~ a particular subject, (other than ~~as to~~ health insurance), or ~~that which~~ relate to the manner of ~~distributing~~ distribution of benefits or to the reservation of rights and benefits under life or health insurance policies and are used at the request of the individual policyholder, contract holder, or certificateholder. ~~For As to~~ group insurance policies effectuated and delivered outside this state but covering persons resident in this state, the group certificates to be delivered or issued for delivery in this state shall be filed with the office for information purposes only.

Section 16. Paragraph (b) of subsection (1) of section 627.706, Florida Statutes, is amended to read:

627.706 Sinkhole insurance; catastrophic ground cover collapse; definitions.—

(1)

(b) The insurer shall make available, for an appropriate additional premium, coverage for sinkhole losses on any structure, including the contents of personal property contained therein, *in an amount equal to the full amount of coverage on the structure. The insurer may also offer less coverage equal to 25 or 50 percent of the amount of coverage on the structure, with an appropriate reduction in the additional premium to the extent provided in the form to which the coverage attaches.* The insurer may require an inspection of the property before issuance of sinkhole loss coverage. A policy for residential property insurance may include a deductible amount applicable to sinkhole losses equal to 1 percent, 2 percent, 5 percent, or 10 percent of the policy dwelling limits, with appropriate premium discounts offered with each deductible amount.

Section 17. Except as otherwise expressly provided in the act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; adding a member to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain percentage; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; deleting a provision exempting the corporation from state procurement requirements; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk factor; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; amending s. 627.3519, F.S.; revising requirements relating to the

preparation of the annual reports relating to the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending s. 627.410, F.S.; conforming provisions to changes made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Simmons moved the following amendments to **Amendment 1 (420058)** which were adopted by two-thirds vote:

Amendment 1A (649412)—Delete lines 2465-2468 and insert: *from an authorized insurer for a personal lines risk at a premium that is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.*

Amendment 1B (561924) (with title amendment)—Delete lines 1395 and 1396 and insert: *by the corporation if the premium for coverage from an authorized insurer is equal to or less than the*

And the title is amended as follows:

Delete line 2833 and insert: amount; deleting provisions allowing a

Amendment 1 (420058) as amended was adopted by two-thirds vote.

On motion by Senator Simmons, **CS for SB 1770** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Galvano	Montford
Abruzzo	Gardiner	Negron
Altman	Gibson	Richter
Bean	Grimsley	Simmons
Benacquisto	Hays	Soto
Bradley	Latvala	Stargel
Dean	Lee	Thompson
Detert	Margolis	Thrasher

Nays—15

Brandes	Flores	Ring
Braynon	Garcia	Sachs
Clemens	Hukill	Simpson
Diaz de la Portilla	Joyner	Smith
Evers	Legg	Sobel

INTRODUCTION OF FORMER SENATORS

Senator Lee recognized former Senator Rudy Garcia who was present in the gallery.

THE PRESIDENT PRESIDING

SB 1042—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which specified members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—as amended April 16 was read the third time by title.

Pending further consideration of **SB 1042** as amended, on motion by Senator Abruzzo, by two-thirds vote **CS for HB 361** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

On motion by Senator Abruzzo, by two-thirds vote—

CS for HB 361—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **SB 1042** as amended and read the second time by title.

On motion by Senator Abruzzo, by two-thirds vote **CS for HB 361** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—1

Lee

Vote after roll call:

Yea—Evers

Nay to Yea—Lee

Consideration of **CS for SB 964** was deferred.

CS for CS for SB 972—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met, and must provide the basis upon which landowners will be assessed a proportionate share of the cost of addressing certain transportation impacts; encouraging a local government that repeals transportation concurrency to adopt an alternative mobility funding system that is subject to certain requirements; providing an effective date.

—as amended April 24 was read the third time by title.

Pending further consideration of **CS for CS for SB 972** as amended, on motion by Senator Hukill, by two-thirds vote **CS for CS for CS for HB 319** was withdrawn from the Committees on Community Affairs; Transportation; and Rules.

On motion by Senator Hukill, by two-thirds vote—

CS for CS for CS for HB 319—A bill to be entitled An act relating to community transportation projects; amending s. 163.3180, F.S., relating to transportation concurrency; revising and providing requirements for local governments that continue to implement a transportation concurrency system; revising provisions for applicants for rezoning or a permit for a planned development to satisfy concurrency requirements; providing for such provisions to apply to development agreements; authorizing a local government to accept contributions from multiple applicants to satisfy such requirements under certain conditions; requiring local governments to provide the basis upon which landowners will be assessed certain costs; encouraging local governments without transportation concurrency to adopt an alternative mobility funding system; prohibiting alternative systems from denying, timing, or phasing a development application process if the developer agrees to pay for identified transportation impacts; requiring mobility fees to comply with the dual rational nexus test; prohibiting alternative systems from holding new developments responsible for existing deficiencies; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 972** as amended and by two-thirds vote read the second time by title.

On motion by Senator Hukill, by two-thirds vote **CS for CS for CS for HB 319** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Margolis
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

SB 1066—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 1066** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Braynon	Garcia
Abruzzo	Clemens	Gibson
Altman	Dean	Grimsley
Bean	Detert	Hays
Benacquisto	Evers	Hukill
Bradley	Flores	Joyner
Brandes	Galvano	Latvala

Lee	Ring	Sobel
Legg	Sachs	Soto
Margolis	Simmons	Stargel
Montford	Simpson	Thompson
Richter	Smith	Thrasher

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 95—A bill to be entitled An act relating to charitable contributions; amending s. 726.102, F.S.; defining the terms “charitable contribution” and “qualified religious or charitable entity or organization”; amending s. 726.109, F.S.; providing that a transfer of a charitable contribution that is received in good faith by a qualified religious or charitable entity or organization is not a fraudulent transfer; providing exceptions; amending ss. 213.758, 718.704, and 721.05, F.S.; conforming cross-references; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for HB 95** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Galvano	Montford
Abruzzo	Garcia	Richter
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher
Flores	Margolis	

Nays—2

Brandes Ring

Vote after roll call:

Yea—Altman

CS for CS for SB 468—A bill to be entitled An act relating to property and casualty insurance rates, fees, and forms; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 627.062, F.S.; exempting medical malpractice insurance that covers certain providers and practitioners from specified rate filing requirements; revising provisions relating to notification of rate changes to codify the amendments made to s. 627.062(3)(d)3., F.S., by s. 1, ch. 2011-160, Laws of Florida, in lieu of the amendments made by s. 12, ch. 2011-39, Laws of Florida, and making editorial changes; amending s. 627.410, F.S.; conforming provisions to changes made by the act; creating s. 627.4102, F.S.; providing for an informational filing of certain forms that are exempt from the Office of Insurance Regulation’s approval process; requiring an informational filing to include a notarized certification from the insurer and providing a statement that must be included in the certification; authorizing the office to require prior review and approval of a form that is not in compliance; requiring a Notice of Change In Policy Terms form to be filed with a changed renewal policy; providing for construction and applicability; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 468** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Evers	Ring
Abruzzo	Galvano	Sachs
Altman	Gardiner	Simmons
Bean	Gibson	Simpson
Benacquisto	Grimsley	Smith
Bradley	Hays	Sobel
Brandes	Hukill	Soto
Braynon	Latvala	Stargel
Clemens	Legg	Thrasher
Dean	Montford	
Detert	Richter	

Nays—5

Diaz de la Portilla	Garcia	Thompson
Flores	Joyner	

Consideration of **CS for HB 7065** and **SB 1830** was deferred.

HB 21—A bill to be entitled An act relating to background screening for noninstructional contractors on school grounds; amending s. 1012.467, F.S.; requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; requiring school district issuance and recognition of the identification badge; providing for validity period of the identification badge; providing for a uniform cost for receipt of the identification badge to be borne by the contractor; providing an exception for certain contractors; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **HB 21** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Grimsley

Consideration of **CS for SB 1302** was deferred.

CS for SB 1398—A bill to be entitled An act relating to real estate appraisers; amending s. 475.617, F.S.; revising terminology applicable to education requirements for registered trainee appraisers, certified residential appraisers, and certified general appraisers; authorizing qualifying education courses completed by applicants for registration as a trainee or certification as a residential appraiser or general appraiser to be completed through distance learning; revising the education and experience requirements for certified residential appraisers and certified general appraisers according to certain real property appraiser qualification criteria adopted by the Appraiser Qualifications Board of the Appraisal Foundation on a specified date; authorizing the use of a dis-

tance learning course; providing requirements for a distance learning course and a final examination; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Hukill, **CS for SB 1398** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 1768—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public records requirements for personal identifying information of an applicant or recipient of para-transit services; making clarifying changes; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for SB 1768** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—1

Joyner

Vote after roll call:

Nay to Yea—Joyner

SB 1784—A bill to be entitled An act relating to military installations; amending s. 253.025, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to acquire certain nonconservation lands to buffer a military installation against encroachment; amending s. 288.980, F.S.; providing legislative findings; providing functions of the Military Base Protection Program; authorizing the Department of Economic Opportunity to annually recommend nonconservation lands for acquisition through fee simple purchase or less-than-fee interest purchase to the Board of Trustees of the Internal Improvement Trust Fund for the purpose of preventing the encroachment of military installations;

requiring the board of trustees to also consider land acquisition recommendations of the Florida Defense Support Task Force; authorizing funds appropriated to the Military Base Protection Program to be used for land acquisition to prevent or reduce encroachment of military installations; providing a definition for the term “nonconservation lands”; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Altman, **SB 1784** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 623—A bill to be entitled An act relating to wine; amending s. 564.05, F.S.; providing an exception to the maximum allowable capacity for an individual container of wine sold in this state; providing that certain wine sold or offered for sale by specified vendors shall be in the unopened original container; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for HB 623** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Abruzzo	Galvano	Montford
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Richter

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for CS for SB 658** provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

The passage or defeat of this bill on the floor of the Senate will inure a special private gain or loss to a principal of which I am a board member. However, this will not affect my compensation as a board member of the

company, and I will not personally receive a special private gain or loss from the passage or defeat of this bill.

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

Senator John Thrasher, 6th District

NOTE: CS for CS for SB 658 is a companion bill to CS for HB 623.

CS for CS for HB 537—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 537** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for HB 935—A bill to be entitled An act relating to the Florida False Claims Act; amending s. 68.081, F.S.; revising a cross-reference; deleting a statement of purpose; amending s. 68.082, F.S.; deleting, revising, and providing definitions; revising conditions under which a person is liable for a specified civil penalty; amending s. 68.083, F.S.; revising terminology; revising language concerning who may intervene or bring a related action after a person files an action under the act; creating s. 68.0831, F.S.; providing for contingent effect; providing a definition; authorizing the Department of Legal Affairs to issue subpoenas for specified purposes before the institution of civil proceedings; providing requirements for the content and service of subpoenas; providing that such subpoenas may not require specified protected documents or testimony; specifying that the department's power to require the appearance of witnesses or production of documents or other tangible evidence located outside the state is unaffected; providing for petitions to modify or set aside subpoenas; providing for orders to comply with subpoenas; providing for the examination of witnesses; providing for review of transcripts of testimony; authorizing the department to stipulate to protective orders of submitted documents and information; providing for natural persons who decline to testify or produce documents after asserting a privilege against self-incrimination to be ordered to testify or produce documents; providing for contempt to comply with such orders; providing for examination of testimony, answers, or materials by the person who produced such materials or answers; providing for construction; prohibiting specified actions by a person knowing or having reason to believe that a subpoena is pending; providing civil penalties; amending s. 68.084, F.S.; clarifying that the department may dismiss actions at any point; revising language concerning the costs to the department for continuing to receive pleadings and transcripts of an action after it has elected to withdraw; providing that the state may elect

to pursue available alternative remedies, including administrative proceedings; specifying what constitutes a final finding or conclusion in an alternative proceeding that is binding on all parties to an action under the act; amending s. 68.085, F.S.; providing for successful plaintiffs to receive, in addition to a portion of the amount recovered, awards of expenses and attorney fees and costs; amending s. 68.086, F.S.; deleting references to awards of attorney fees to successful plaintiffs; revising provisions relating to awards of attorney fees to the department; amending s. 68.087, F.S.; revising terminology; revising provisions relating to dismissal of an action if substantially the same allegations or transactions as alleged in the action were publicly disclosed; amending s. 68.089, F.S.; providing for the treatment for statutes of limitations purposes of pleadings filed in interventions by the department; amending s. 68.09, F.S.; providing for estoppel as to certain matters following a final judgment or decree rendered in favor of the state or the Federal Government in certain criminal proceedings; providing effective dates.

—was read the third time by title.

On motion by Senator Thrasher, **CS for CS for HB 935** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Evers	Richter
Abruzzo	Flores	Ring
Altman	Galvano	Sachs
Bean	Garcia	Simmons
Benacquisto	Gardiner	Simpson
Bradley	Gibson	Smith
Brandes	Grimsley	Sobel
Braynon	Hays	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Hukill

HB 1297—A bill to be entitled An act relating to public records; amending s. 68.083, F.S.; providing an exemption from public records requirements for the complaint and information held by the Department of Legal Affairs pursuant to an investigation of a violation of s. 68.082, F.S., relating to false claims against the state; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing for specified disclosure; specifying duration of the exemption; specifying conditions under which an investigation is considered complete; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Thrasher, **HB 1297** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Legg
Abruzzo	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Clemens	Hukill	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel

Thompson Thrasher

Nays—None

CS for HB 953—A bill to be entitled An act relating to warrants; amending s. 901.02, F.S.; specifying when an arrest warrant may be issued; authorizing a judge to electronically sign an arrest warrant if certain conditions are met; providing that an arrest warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; amending s. 933.07, F.S.; authorizing a judge to electronically sign a search warrant if certain conditions are met; providing that a search warrant is signed by a judge at the time the judge affixes his or her signature or electronic signature to the warrant; defining the term “electronic signature”; providing an effective date.

—was read the third time by title.

On motion by Senator Gardiner, CS for HB 953 was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted in favor of CS for HB 953.

Nays—None

CS for CS for SB 1442—A bill to be entitled An act relating to alarm systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing applicability; requiring a local enforcement agency to offer for sale uniform basic permit labels to contractors; specifying a maximum price and providing exceptions; prohibiting a local enforcement agency from applying a certain condition to the purchase of a label; providing that permits expire after a specific time period; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; providing that failure to submit such notice may result in disciplinary action; prescribing a form for a Uniform Notice of a Low-Voltage Alarm System Project; authorizing a local enforcement agency to inspect; prohibiting municipalities, counties, districts, or other entities of local government from adopting or maintaining an ordinance or rule inconsistent with this section; providing that a label is not required for the subsequent maintenance, inspection, or service of a permitted alarm system; providing an effective date.

—was read the third time by title.

Pending further consideration of CS for CS for SB 1442, on motion by Senator Lee, by two-thirds vote CS for CS for CS for HB 973 was withdrawn from the Committees on Regulated Industries; and Criminal Justice.

On motion by Senator Lee by two-thirds vote—

CS for CS for CS for HB 973—A bill to be entitled An act relating to low-voltage systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by cer-

tain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing for applicability; requiring local enforcement agencies to offer for sale uniform basic permit labels to contractors for a specified cost; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; prescribing a form for such notice; providing inspection procedures and requirements for low-voltage alarm system projects; prohibiting specified local governments from adopting or maintaining certain ordinances and rules; providing that an additional uniform basic permit label shall not be required to perform work on certain alarm systems; providing for applicability; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 1442 and read the second time by title.

On motion by Senator Lee, by two-thirds vote CS for CS for CS for HB 973 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted in favor of CS for CS for CS for HB 973.

Nays—None

CS for HB 341—A bill to be entitled An act relating to uninsured motorist insurance coverage; amending s. 627.727, F.S.; providing that, under certain circumstances, specified persons who elect non-stacking limitations on their uninsured motorist insurance coverage are conclusively presumed to have made an informed, knowing acceptance of the limitations on behalf of all insureds; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, CS for HB 341 was passed and certified to the House. The vote on passage was:

Yeas—38

Table with 3 columns: Name, Flores, Montford. Lists names of senators who voted in favor of CS for HB 341.

Nays—None

SB 736—A bill to be entitled An act relating to limitations relating to deeds and wills; amending s. 95.231, F.S.; providing for limitations of actions when a deed or will is on record; providing that a person claiming

an interest in real property affected by amendments made in the act has until a specified date to file a claim or defense in court to determine the validity of the instrument; providing that if a claim or defense is filed within the specified period, the validity of the instrument is determined without regard to these amendments; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 736** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for SB 874—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions; prohibiting a person from allowing a party to take place if a minor is in possession of or consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for CS for SB 874** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—1

Garcia

Vote after roll call:

Yea—Detert

CS for CS for CS for SB 390—A bill to be entitled An act relating to veterans' organizations; defining terms; prohibiting a business entity from advertising or holding itself out to the public as a veterans' organization or similar entity under certain circumstances; providing that an entity that violates the restrictions on advertising violates the Florida Deceptive and Unfair Trade Practices Act; authorizing certain veterans' organizations to enforce the prohibition against false advertising; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for CS for SB 390** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for CS for SB 580—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association secretary to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association and providing for removal for knowingly taking such action; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; authorizing an association to waive the requirement of obtaining an insurance policy or fidelity bond under certain conditions; amending s. 720.306, F.S.; requiring that a copy of an amendment to the governing documents be provided to the members within 30 days after it is recorded; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding prohibited clauses in association documents; providing prohibited clauses in association documents; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; lim-

iting a present owner’s liability for certain assessments; providing an effective date.

—as amended April 24 was read the third time by title.

Pending further consideration of **CS for CS for CS for SB 580** as amended, on motion by Senator Hays, by two-thirds vote **CS for HB 7119** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Rules.

On motion by Senator Hays, by two-thirds vote—

CS for HB 7119—A bill to be entitled An act relating to homeowners’ associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association; providing for removal from office for violations; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; authorizing an association to waive the requirement of obtaining an insurance policy or fidelity bond under certain conditions; amending s. 720.306, F.S.; requiring the association to provide copies of amendments to the governing documents to members under certain conditions; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding amendments to governing documents in associations under developer control; amending s. 720.3085, F.S.; defining the term “previous owner” to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner’s liability for certain assessments; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 580** as amended and by two-thirds vote read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for HB 7119** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Bean	Braynon	Diaz de la Portilla
Benacquisto	Clemens	Evers

Flores	Latvala	Simpson
Galvano	Lee	Smith
Garcia	Legg	Sobel
Gardiner	Margolis	Soto
Gibson	Montford	Stargel
Grimley	Richter	Thompson
Hays	Ring	Thrasher
Hukill	Sachs	
Joyner	Simmons	

Nays—None

Vote after roll call:

Yea—Altman

CS for CS for SB 1410—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled “General Provisions”; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term “consultant”; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company’s investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards

for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the "Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act" to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a

state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm out-buildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a

technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s.

633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private fire-

fighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Simmons, **CS for CS for SB 1410** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Clemens	Flores
Bean	Dean	Galvano
Bradley	Detert	Garcia

Gardiner	Lee	Simmons
Gibson	Legg	Simpson
Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Richter	Soto
Joyner	Ring	Thompson
Latvala	Sachs	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto

SB 1424—A bill to be entitled An act relating to public records; amending s. 338.155, F.S.; clarifying provisions; providing that personal identifying information about individuals related to the payment of tolls, which is held by the Department of Transportation and certain other entities, is exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing legislative findings and a statement of public necessity; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Evers, **SB 1424** as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Bradley, Stargel

CS for CS for CS for HB 375—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; deleting provisions relating to the development of performance criteria applicable to engineer-designed systems; revising requirements for maintenance entity service agreements for certain engineer-designed systems; authorizing certain property owners to be approved and permitted as maintenance entities for performance-based treatment systems under certain conditions; requiring owners of performance-based treatment unit systems to obtain certain permits; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; deleting a requirement for maintenance entities to obtain certain permits; authorizing electronic submission of certain reports; authorizing certain property owners to be approved and permitted as maintenance entities for aerobic treatment unit systems under certain conditions; providing requirements for such maintenance entity service agreements; prohibiting manufacturers from denying certain septic tank contractors access to aerobic treatment unit system training and spare parts; au-

thorizing certain replacement parts for aerobic treatment unit systems; requiring maintenance entities to maintain documentation for such replacement parts; requiring owners of aerobic treatment unit systems to obtain certain permits; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for CS for CS for HB 375** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

CS for SB 1014—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the initial screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based drug court program; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for SB 1014** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Consideration of **CS for CS for CS for SB 1734** was deferred.

SB 1848—A bill to be entitled An act relating to public records; providing a public records exemption for the identity of individuals who make certain allegations or provide certain information to the inspector general of Citizens Property Insurance Corporation and for information relating to a resulting investigation; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Simmons, **SB 1848** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—1

Joyner

SB 1850—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all proprietary business information submitted by an insurer to the Citizens Property Insurance Corporation’s clearinghouse; providing a definition; providing exemption; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Simmons, **SB 1850** as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—2

Joyner Thrasher

CS for HB 223—A bill to be entitled An act relating to insurance; amending s. 627.421, F.S.; authorizing the posting of specified types of insurance policies and endorsements on an insurer’s Internet website in lieu of mailing or delivery to the insured if the insurer complies with certain conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for HB 223** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Abruzzo	Altman
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Bean	Gardiner	Richter
Benacquisto	Gibson	Ring
Bradley	Grimsley	Sachs
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Nays—None

Vote after roll call:

Yea—Garcia, Simmons

HB 1157—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising the definition of the terms “health care coverage” or “health flex plan coverage” to include certain specified benefits; deleting the section’s expiration date; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **HB 1157** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

CS for CS for SB 1210—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; providing legislative intent; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Soto, **CS for CS for SB 1210** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Abruzzo	Altman
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Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher
Galvano	Montford	
Garcia	Richter	

Nays—None

Vote after roll call:

Yea—Detert

SB 1800—A bill to be entitled An act relating to public records; amending s. 119.071, F.S., relating to a public records exemption for agency records concerning complaints of employment discrimination; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 1800**, on motion by Senator Ring, by two-thirds vote **HB 7145** was withdrawn from the Committee on Rules.

On motion by Senator Ring, by two-thirds vote—

HB 7145—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public record requirements for employment discrimination complaints and other records; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 1800** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7145** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	
Evers	Negron	

Nays—None

Vote after roll call:

Yea—Legg

CS for SB 1756—A bill to be entitled An act relating to public records; creating s. 595.409, F.S.; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program held by the Department of Agriculture and Consumer Services, the Department of

Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 1756**, on motion by Senator Montford, by two-thirds vote **HB 7089** was withdrawn from the Committees on Agriculture; Governmental Oversight and Accountability; and Rules.

On motion by Senator Montford, by two-thirds vote—

HB 7089—A bill to be entitled An act relating to public records; creating s. 595.409, Florida Statutes; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program, as defined in s. 595.402, F.S., held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1756** and read the second time by title.

On motion by Senator Montford, by two-thirds vote **HB 7089** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

SB 1830—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.047, F.S.; providing that the postmark date of commercial mail delivery service is considered the date of filing for certain ad valorem applications or returns; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of first-class mail; providing requirements; amending s. 193.122, F.S.; requiring a property appraiser to publish notices of date of tax roll certifications and extensions on the property appraiser's website; amending s. 193.155, F.S.; providing that a change of ownership for purposes of assessing property at just value does not apply to lessees entitled to the homestead; extending the time for appealing a value adjustment board's denial of a taxpayer's application to transfer prior homestead assessment limitations to a new homestead; amending s. 193.451, F.S.; providing that aquacultural crops are exempt from taxation until marketable; amending s. 193.461, F.S., relating to the classification of agricultural land for tax assessment to revise the definition of "agricultural purposes" to include algaculture; amending s. 193.703, F.S.; authorizing a county to waive the annual application requirement for a reduction in the assessed value of homestead property used to provide living quarters for the parents or grandparents of the owner or spouse of the owner; requiring the property owner to notify the property appraiser if the reduction no longer applies; providing for tax, penalty, and interest assessments if the property owner improperly received reductions; providing for liens; amending s. 196.031, F.S.; deleting the express requirement that titleholders of homesteads live on the homestead in

order to qualify for homestead tax exemption; amending s. 196.075, F.S., as amended by s. 1 of chapter 2012-57, Laws of Florida; clarifying that local governments that provide additional homestead exemptions to persons 65 and older may provide exemptions up to a certain amount; repealing s. 196.082(1)(b) and (3)(a), F.S., relating to the requirement that a veteran applying for a discount on the ad valorem tax owed on homestead property be a state resident at the time of entering military service; amending s. 196.1978, F.S.; removing the ability of a general partner classified as a 501(c)(3) organization to qualify as a limited partnership for the affordable housing property tax exemption; providing for retroactive application; amending s. 196.198, F.S.; clarifying the ownership of property used for education purposes and exempt from ad valorem taxation; amending s. 4 of chapter 2012-45, Laws of Florida; providing that taxes imposed by school districts in certain areas are not included in determining the taxes that must be transmitted to St. Lucie County pursuant to the transfer of property from St. Lucie County to Martin County; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Hukill, **SB 1830** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Flores, the Senate resumed consideration of—

CS for CS for SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution and a state university in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be transferred into a specified account and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and requirements relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of each institution receiving surtax proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax; providing an effective date.

—which was previously considered this day.

Senator Flores moved the following amendment which was adopted:

Amendment 1 (250858)—Delete line 123 and insert: *term and may be reappointed. A vacancy on the board shall be filled for the unexpired*

Pursuant to Rule 4.19, **CS for CS for SB 1718** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Ring, the Senate resumed consideration of—

CS for CS for SB 770—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum; providing an effective date.

—which was previously considered and amended this day.

Pursuant to Rule 4.19, **CS for CS for SB 770** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for CS for SB 1016—A bill to be entitled An act relating to dentistry; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1016** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, April 26.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 26.

REPORTS OF COMMITTEES

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 Thursday, April 25, 2013: CS for CS for SB 306, CS for SB 448, CS for SB 642, CS for CS for SB 654, CS for CS for CS for SB 726, CS for SB 754, CS for CS for SB 848, CS for SB 864, CS for SB 1046, CS for SB 1048, CS for CS for SB 1110, CS for SB 1372, CS for SB 1420, SB 1464, CS for SB 1468, CS for SB 1664, CS for SB 474, CS for CS for SB 490, CS for SB 536, CS for SB 634, CS for SB 714, CS for SB 716, CS for SB 824, CS for SB 834, SB 986, CS for CS for SB 1016, CS for SB 1098, CS for CS for SB for SB 1122, CS for SB 1172, CS for SB 1260, CS for CS for CS for SB 1594, CS for SB 1166, CS for CS for SB 556, CS for SB 522, CS for SB 404, CS for SB 402, CS for SB 400, SB 236, CS for SB 504, CS for CS for SB 676, SB 788, CS for SB 802, SB 936, CS for SB 938, CS for SB 948, CS for SB 1040, CS for SB 1094, CS for SB 1150, SB 1330, CS for SB 1628, CS for CS for SB 436, CS for SB 546, CS for SB 770, CS for SB 842, CS for SB 852, CS for SB 928, SB 1036, CS for SB 1074, CS for SB 1126, CS for SB 1140, CS for SB 1188, CS for SB 1404, CS for SB 1434, CS for SB 1458, CS for SB 1690, CS for SB 1718, SB 1750, SB 1828, CS for CS for SB 442, CS for SB 1412, CS for SB 606.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Appropriations recommends the following pass: CS for SB 154; CS for SB 288; CS for SB 370; CS for CS for CS for SB 500; CS for SB 644; SB 742; CS for SB 860; CS for SB 1350; CS for SB 1390; CS for CS for SB 1636

The bills were placed on the Calendar.

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 896; CS for SB 980

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

The Committee on Appropriations recommends committee substitutes for the following: CS for CS for SB 84; CS for SB 150; CS for SB 156; CS for CS for SB 242; CS for CS for SB 274; SB 410; CS for SB 582; SB 662; CS for SB 732; CS for SB 844; SB 862; SB 916; CS for CS for SB 958; CS for SB 960; CS for SB 1024; SB 1026; SB 1064; CS for SB 1132; SB 1190; CS for CS for SB 1192; SB 1200; SB 1246; SB 1280; CS for SB 1352; CS for SB 1388; CS for SB 1408; SB 1630; CS for CS for SB 1644; CS for SB 1684; CS for SB 1722; SB 1816; SB 1844; SB 1884

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; Governmental Oversight and Accountability; and Community Affairs; and Senators Diaz de la Portilla and Bean—

CS for CS for CS for SB 84—A bill to be entitled An act relating to public-private partnerships; amending s. 154.11, F.S.; revising the powers of a public health trust; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing

for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction of roads under certain circumstances; providing bid exemption for such projects under certain circumstances; providing for a public notice and meeting; providing applicability; providing an effective date.

By the Committees on Appropriations; and Education; and Senators Altman, Garcia, Bean, and Bradley—

CS for CS for SB 150—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring that a student's language and communication needs, including certain opportunities, be considered in the development of an individual education plan for a deaf or hard-of-hearing student; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model communication plan to each school district and provide technical assistance; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Detert—

CS for CS for SB 156—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.103, F.S.; providing for additional exemptions; amending s. 489.105, F.S.; revising definitions; amending s. 489.111, F.S.; revising eligibility criteria to take the swimming pool/spa examination; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.71, F.S.; providing a definition for the term "local technical amendment"; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; requiring replacement air conditioning systems in residential applications to use energy-saving quality installation procedures; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment

efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing effective dates.

By the Committees on Appropriations; Governmental Oversight and Accountability; and Banking and Insurance; and Senator Hukill—

CS for CS for CS for SB 242—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the commissioner to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for opting out of and adopting new uniform standards or amendments to existing standards; providing for the preemption of certain state laws; requiring the office to notify the Legislature of any new uniform standards or amendments to existing standards; providing that the commission is subject to certain state tax requirements; providing for public access to records; authorizing the Financial Services Commission to adopt rules to implement this act; providing that if any part of this act is invalidated the entire act is invalid; providing an effective date.

By the Committees on Appropriations; Rules; and Transportation; and Senators Dean, Evers, and Latvala—

CS for CS for CS for SB 274—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.;

creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of annual use fees received from the sale of the plate; providing an effective date.

By the Committee on Appropriations; and Senator Bean—

CS for SB 410—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Galvano—

CS for CS for SB 582—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring the department to convene a meeting when requested by a certain manufacturer; requiring participating agencies to attend meetings convened by the department; specifying that the department is not required to mediate between the participating agencies and a manufacturer; providing that the department may not be a party to certain proceedings involving state development approvals; requiring that the coordinated approval process have no effect on the department's economic development incentive approval process; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; authorizing the department to adopt rules; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

By the Committee on Appropriations; and Senator Hays—

CS for SB 662—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing an exception; prohibiting a dispensing manufacturer from possession of a medicinal drug until certain persons are paid; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Grimsley—

CS for CS for SB 732—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a Class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological

product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a Class II or Modified Class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senator Grimsley—

CS for CS for SB 844—A bill to be entitled An act relating to Medicaid; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; adding the definitions of the terms "administrative fines" and "outstanding overpayment"; revising provisions relating to the agency's onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through telecommunications technology; amending s. 409.910, F.S.; revising provisions relating to responsibility for Medicaid payments in settlement proceedings; providing procedures for a recipient to contest the amount payable to the agency; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; providing for the expiration of the Medicaid and Public Assistance Fraud Strike Force; amending s. 624.352, F.S.; providing for the expiration of provisions relating to "Strike Force" agreements; providing an effective date.

By the Committee on Appropriations; and Senator Stargel—

CS for SB 862—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the district school board to implement a turnaround option; requiring the district school board to complete a report under certain circumstances; providing report requirements; providing that the turnaround option selected by the district school board is final and conclusive; providing that the turnaround option is no longer required if the school improves by at least one letter grade; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field

teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

By the Committees on Appropriations; and Health Policy; and Senators Garcia and Flores—

CS for CS for SB 896—A bill to be entitled An act relating to prepaid dental plans; amending s. 409.912, F.S.; postponing the scheduled repeal of a provision requiring the Agency for Health Care Administration to contract with dental plans for dental services on a prepaid or fixed-sum basis; authorizing the agency to provide a prepaid dental health program in Miami-Dade County on a permanent basis; requiring an annual report to the Governor and Legislature; providing an effective date.

By the Committee on Appropriations; and Senators Flores and Benacquisto—

CS for SB 916—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing, wallets, bags, school supplies, personal computers, and personal computer related accessories are exempt from the sales tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

By the Committees on Appropriations; Communications, Energy, and Public Utilities; and Environmental Preservation and Conservation; and Senators Richter and Smith—

CS for CS for CS for SB 958—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term “oil”; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department’s rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector’s heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility;

amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

By the Committees on Appropriations; and Commerce and Tourism; and Senator Bean—

CS for CS for SB 960—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending ss. 212.05 and 212.08, F.S.; providing a sales tax exemption for dyed diesel fuel used in commercial shrimping; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Flores—

CS for CS for SB 980—A bill to be entitled An act relating to education; providing requirements for measuring student performance in instructional personnel and school administrator performance evaluations; providing requirements for the performance evaluation of personnel for purposes of the performance salary schedule; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-mandated assessments and publish the schedules on its website; requiring reporting of the schedules to the Department of Education; amending s. 1012.2315, F.S.; prohibiting a student from being assigned in a classroom in the following school year to a teacher who received a performance evaluation rating of “needs improvement” or “unsatisfactory” in the preceding school year under certain circumstances; authorizing a parent to choose to have a student who is enrolling in an extracurricular course that is taught by a teacher who received a performance evaluation of “needs improvement” or “unsatisfactory” in the preceding school year under certain circumstances; providing an effective date.

By the Committees on Appropriations; Community Affairs; and Commerce and Tourism—

CS for CS for SB 1024—A bill to be entitled An act relating to the Department of Economic Opportunity; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office’s evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; clarifying the application of certain amendments; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of

Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; amending s. 288.076, F.S.; providing definitions; requiring the Department of Economic Opportunity to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and the department to publish the description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish cer-

tain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 288.9918, F.S.; revising reporting requirements related to community development entities; amending s. 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government

defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending ss. 331.3051 and 331.310, F.S.; revising requirements for annual reports by Space Florida; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception; providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; requiring the tax collection service provider to calculate a certain additional rate; providing for when an assessment may not be made; requiring assessments to be available to pay interest on federal advances; requiring certain excess funds to be transferred to the Unemployment Compensation Trust Fund after a certain time period; deleting the provision referring to crediting employer accounts; providing an expiration date; amending ss. 443.151 F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of benefit charges for failure to timely and adequately respond to notice of claim or request for information; requiring the department to impose a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring an appeals referee to be an attorney in good standing with the Florida Bar or successfully admitted within 8 months of hire; requiring the Department of Economic Opportunity to meet the requirements of the bill through attrition after January 1, 2014; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing criminal penalties; amending 443.191, F.S.; providing for the deposit of moneys recovered and penalties collected due to fraud in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; creating s. 288.80, F.S.; providing a short title; creating s. 288.801, F.S.; providing Legislative intent; creating s. 288.81, F.S.; providing definitions; creating s. 288.82, F.S.; creating Triumph Gulf Coast, Inc., as nonprofit corporation; requiring the Triumph Gulf Coast, Inc., to create and administer the Recovery Fund for the benefit of disproportionately affected counties; providing for principal of the fund; providing for payment of administrative costs from the earnings of the fund; providing any remaining funds after 30 years revert to the State Treasury; authorizing investment of the principal of the fund; requiring an investment policy; requiring competitive procurement of money managers; requiring annual audits; requiring biannual reports; creating s. 288.83, F.S.; providing for application of public records and meetings laws; providing for governance by a 5 member board of directors; providing membership; providing for terms; providing for appointment for vacancies; providing limitations on board members; limiting post-employment activities; providing for a misdemeanor for violations; requiring financial disclosures; providing travel and per diem expenses; providing for removal; requiring quarterly meetings; providing for staffing; creating s. 288.831, F.S.; providing the powers and duties of the board of directors; creating s. 288.832, F.S.; providing the duties of Triumph Gulf Coast, Inc.; creating s. 288.84, F.S.; permitting awards for projects or programs from available earnings and principal; proscribing the award categories; proscribing the award categories for certain funds; establishing priority ranking for applications; prohibiting award from financing 100 percent of a project or program; permitting Triumph Gulf Coast, Inc., to requiring a one-to-one match; prohibiting an awardee from receiving all available funds; requiring a contract for an award; requiring regular reporting; providing effective dates.

By the Committee on Appropriations; and Senator Thrasher—

CS for SB 1026—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application

services is optional under certain circumstances; providing an effective date.

By the Committee on Appropriations; and Senator Latvala—

CS for SB 1064—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; defining the term "renewable energy source device"; excluding the value of renewable energy source devices from the assessed value of residential real property; providing for applicability; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of nonhomestead residential property at just value; amending s. 196.012, F.S.; deleting the definition of the terms "renewable energy source device" and "device"; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for applicability; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Brandes—

CS for CS for SB 1132—A bill to be entitled An act relating to the Department of Transportation; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations under the Florida Transportation Corporation Act; amending s. 20.23, F.S.; requiring the Transportation Commission to also monitor authorities created under ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; amending s. 110.205, F.S.; changing a title to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; amending s. 311.22, F.S.; establishing the Department of Transportation as the agency responsible for administering the section, instead of the Florida Seaport Transportation and Economic Development Council; providing for the future repeal of the section; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specified length; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.0415, F.S.; creating a pilot program in the City of Miami to transfer department responsibilities for public road maintenance to the city; requiring the department to enter into an interlocal agreement with the City of Miami; specifying requirements of the interlocal agreement; requiring the Florida Transportation Commission to conduct a study at the conclusion of the pilot program and provide the study to the Governor and the Legislature; requiring the department to pay the expenses of the study's experts; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; providing for applicability; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14, F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a

public record; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 338.161, F.S.; authorizing the department to enter into agreements with owners of public or private transportation facilities under which the department uses its electronic toll collection and video billing systems to collect for the owner certain charges for use of the owners' transportation facilities; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; relocating the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of corporations; repealing s. 339.405, F.S., relating to type and structure of the corporation and income; repealing s. 339.406, F.S., relating to contracts between the department and the corporation; repealing s. 339.407, F.S., relating to articles of incorporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors; repealing s. 339.409, F.S., relating to bylaws; repealing s. 339.410, F.S., relating to notice of meetings and open records; repealing s. 339.411, F.S., relating to the amendment of articles; repealing s. 339.412, F.S., relating to the powers of the corporation; repealing s. 339.414, F.S., relating to use of state property; repealing s. 339.415, F.S., relating to exemptions from taxation; repealing s. 339.416, F.S., relating to the authority to alter or dissolve corporations; repealing s. 339.417, F.S., relating to the dissolution of a corporation upon the completion of purposes; repealing s. 339.418, F.S., relating to transfer of funds and property upon dissolution; repealing s. 339.419, F.S., relating to department rules; repealing s. 339.420, F.S., relating to construction; repealing s. 339.421, F.S., relating to issuance of debt; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service"; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 343.80, F.S.; renaming the Northwest Florida Transportation Corridor Authority Law as the Northwest Florida Regional Transportation Finance Authority Law; amending s. 343.805, F.S., defining "Northwest Florida Regional Transportation Finance Authority System" or "system"; deleting definitions of "U.S. 98 corridor" and "U.S. 98 corridor system"; amending s. 343.81, F.S.; renaming the Northwest Florida Transportation Corridor Authority as the Northwest Florida Regional Transportation Finance

Authority; revising the composition of the governing board of the authority from eight to five voting members, two from Okaloosa County and one each from Walton, Bay, and Gulf Counties; removing from the governing body of the authority voting members from Escambia, Santa Rosa, Franklin, and Wakulla Counties; revising quorum requirements and the number of votes necessary for any action by the authority; removing the authority's authorization to establish a technical advisory committee and related provisions; amending s. 343.82, F.S.; authorizing the authority to acquire, hold, construct, improve, maintain, operate, own, and lease the Northwest Florida Regional Transportation Finance Authority System; removing references to intended improvement of mobility along the U.S. 98 corridor and to the Santa Rosa Sound; removing direction to the authority to adopt a corridor master plan, to annually update and present the plan, to undertake projects or other improvements in the plan, and to request certain funding and technical assistance; conforming terminology; removing a prohibition against the authority imposing tolls or other charges; providing the authority may dispose of property which the authority and the Department of Transportation have determined is not needed for the system; removing the authority's authorization to enter into lease-purchase agreements with the department; removing the authority's power to borrow money from any federal agency, the state, any agency of the state, or any other public body of the state; amending s. 343.83, F.S.; conforming terminology; amending s. 343.835, F.S.; making conforming changes; replacing a reference to facilities "constructed" by the authority to facilities "owned or provided"; amending s. 343.84, F.S.; providing that the department is the agent of the authority for the purpose of constructing, operating, and maintaining system facilities; providing for alternative appointment of a specified local agency as construction agent with the consent and approval of the department; providing for reimbursement from revenues of the system of costs incurred by the department to operate and maintain the system; providing that the department has no independent obligation to operate and maintain the system; providing the authority remains obligated as to operate and maintain its system; directing the authority to establish and collect tolls and other charges for the authority's facilities; amending s. 343.85, F.S.; conforming terminology; repealing s. 343.875, F.S., removing the authority's authorization to enter into public-private partnership agreements; removing project criteria; removing department authorization to use state resources to participate in projects; removing authorization to request proposals and to receive unsolicited proposals, removing related notice provisions, and removing procedural provisions related to consideration of such proposals; removing authorization for the public-private entity to impose tolls or fares, to exercise its powers, including eminent domain, and to adopt rules; amending s. 343.89, F.S.; conforming terminology; amending s. 343.922, F.S.; removing a reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; authorizing counties to form a regional transportation finance authority that can construct, maintain, or operate transportation projects in a region of the state; providing for governance of the authority; creating s. 345.0004, F.S.; providing for the powers and duties of a regional transportation finance authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; allowing bonds to be issued on behalf of an authority pursuant to the State Bond Act; authorizing an authority to issue bonds for certain purposes; providing that the issued bonds must meet certain requirements; requiring that the bonds be sold at a public sale; authorizing the issuing of temporary bonds or interim certificates; providing that the resolution that authorizes the issuance of bonds may contain specified provisions; authorizing an authority to enter into deeds of trust, indentures, or other agreements with a bank or trust company as security for issued bonds; providing that the issued bonds are negotiable instruments; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must require that revenues be deposited to pay operating and maintenance costs of the system and to reimburse the department for certain costs; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds and requiring bonds to contain a statement to this effect; creating s. 345.0006, F.S.; providing for the rights and remedies granted to certain bondholders; providing the actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for

the authority of the receiver; providing limitations to the receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide for or commit its resources for an authority project or system, included in the 10-year Strategic Intermodal Plan, if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing calculations for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between governmental entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; relieving the authority from the obligation of paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; creating s. 345.0015, F.S.; creating the Santa Rosa-Escambia Regional Transportation Finance Authority; creating s. 345.0016, F.S.; creating the Suncoast Regional Transportation Finance Authority; providing for the transfer of the governance and control of the Mid-Bay Bridge Authority System to the Northwest Florida Regional Transportation Finance Authority; providing for the disposition of bonds, the protection of the bondholders, the effect on the rights and obligations under a contract or the bonds, and the revenues associated with the bonds; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the "Central Florida Expressway System"; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing

for reimbursement after payment of other obligations; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referenda; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; providing an exception; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing the commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for a moratorium on new parking meters or other parking time-limit devices on the state right-of-way; prohibiting the sale of unsafe used tires by used tire retailers under certain circumstances; providing an exception; providing what constitutes an unsafe used tire; providing that a person who violates this section commits an unfair and deceptive trade practice; providing effective dates.

By the Committee on Appropriations; and Senators Brandes, Sachs, and Evers—

CS for SB 1190—An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; amending s. 604.50, F.S.; revising an exemption from the Florida Building Code and certain county and municipal code provisions and fees for nonresidential farm buildings, fences, and signs; limiting applicability of the exemption to such farm buildings, fences, and signs located on certain lands; defining the term "bona fide agricultural purposes"; providing an effective date.

By the Committees on Appropriations; Community Affairs; and Health Policy; and Senator Grimsley—

CS for CS for CS for SB 1192—An act relating to the provision of health care with controlled substances; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the Board of Medicine and the Board of Osteopathic Medicine to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the Board of

Pharmacy to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that the regulation of pharmacies and pharmacists is preempted to the state; providing that a local ordinance, rule, or regulation may not be enacted or remain in effect which regulates or attempts to regulate pharmacies or pharmacists in subject matters regulated under ch. 465, F.S.; amending s. 893.055, F.S.; deleting obsolete provisions; requiring a designated agent under the supervision of a health care practitioner to have access to information in the prescription drug monitoring program's database; deleting a provision that prohibits funds from prescription drug manufacturers to be used to implement the prescription drug monitoring program; authorizing the prescription drug monitoring program to be funded by state funds; revising the sources of money which are inappropriate for the direct-support organization of the prescription drug monitoring program to receive; amending s. 893.0551, F.S.; requiring the Department of Health to disclose certain confidential and exempt information to a designated agent of a health care practitioner or pharmacist under certain circumstances; creating s. 893.0552, F.S.; providing that regulation of the licensure, activity, and operation of pain-management clinics is preempted to the state under certain circumstances; authorizing a local government or political subdivision of the state to enact certain ordinances regarding local business taxes and land development; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

By the Committee on Appropriations; and Senator Simpson—

CS for SB 1200—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as nonagricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting a presumption that land sold for a certain price is not used primarily for agricultural purposes; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

By the Committee on Appropriations; and Senator Bean—

CS for SB 1246—A bill to be entitled An act relating to public retirement plans; amending ss. 185.03 and 185.08, F.S.; specifying applicability of ch. 185, F.S., to certain consolidated governments; providing that a consolidated government that has entered into an interlocal agreement to provide police protection services to a municipality within its boundaries is eligible to receive the premium taxes reported for the municipality under certain circumstances; authorizing the municipality receiving the police protection services to enact an ordinance levying the tax as provided by law; providing an effective date.

By the Committee on Appropriations; and Senator Sachs—

CS for SB 1280—A bill to be entitled An act relating to tax dealer collection allowances; amending s. 212.12, F.S.; revising the process for dealers to elect to forgo the sales tax collection allowance and direct that the collection allowance amount be transferred into the Educational Enhancement Trust Fund; providing applicability; providing an effective date.

By the Committees on Appropriations; and Community Affairs; and Senator Ring—

CS for CS for SB 1352—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform state-wide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; amending s. 200.069, F.S.; authorizing the property appraiser to notify taxpayers of proposed property taxes by posting the notice on the appraiser's website in lieu of first-class mail when approved by the county governing board; providing notice format details; requiring publication of legal notice that the notice of proposed taxes and assessments is available through the property appraiser's website; authorizing the property appraiser to provide e-mail notification when the proposed taxes and assessments are available on the appraiser's website; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Montford—

CS for CS for SB 1388—A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; revising the duties of a district school board and the district superintendent with regard to instructional materials; repealing s. 1006.282, F.S., relating to the pilot program for the transition to electronic and digital instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to assess and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the Department of Education; providing a limit on fees; prohibiting fees from being collected from publishers to review certain instructional materials; providing for a stipend, reimbursement for travel expenses, and per diem for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.29, F.S.; providing a definition; requiring the department to appoint state instructional materials reviewers, rather than state or national experts, to review instructional materials; providing requirements, appointments, and terms for state instructional materials reviewers; authorizing the department to assess and collect fees; requiring the fee amount to be posted on the department's website and reported to the State Board of Education; providing a purpose for the use of the fees, such as a stipend for service as a reviewer, payment for per diem, and reimbursement for travel expenses for service as a reviewer; requiring a publisher to offer sections of instructional materials in certain versions at reduced rates; requiring the department to post certain instructional materials on its website; amending s. 1006.30, F.S.; conforming provisions to changes made by the act; amending s. 1006.31, F.S.; conforming provisions to changes made by the act; revising the procedure for evaluating instructional materials; providing standards to determine the propriety of instructional materials; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; repealing s. 1006.33, F.S., relating to bids, proposals, and advertisement regarding instructional materials; amending s. 1006.34, F.S.; revising the powers and duties of the State Board of Education in evaluating instructional materials to include collecting fees and adopting rules; conforming provisions to changes made by the act; amending s. 1006.35, F.S.; authorizing the Commissioner of Education to remove materials from the list of approved materials if the materials do not align with applicable state standards; prohibiting a school district from purchasing removed materials under certain circumstances; amending s. 1006.36, F.S.; providing for the state

review cycle for instructional materials; amending s. 1006.37, F.S.; authorizing a district school superintendent to requisition approved instructional materials; conforming provisions to changes made by the act; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; amending s. 1001.10, F.S.; revising the duties of the Commissioner of Education with regard to instructional materials, including submission of a report to the Governor, the Legislature, and the State Board of Education; amending s. 1003.55, F.S.; requiring a publisher or manufacturer of instructional materials that have been approved by the Department of Education or a school district to furnish the department with a computer file in an electronic format specified by the department; amending ss. 1003.621 and 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Appropriations; and Banking and Insurance; and Senator Richter—

CS for CS for SB 1408—A bill to be entitled An act relating to captive insurance; replacing the term “captive insurer” with “captive insurance company” in part V of ch. 628, F.S.; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; expanding the risks that an industrial insured capital insurance company may insure; providing that an industrial insured captive insurance company may provide certain insurance if the company has and maintains unencumbered capital and surplus of a certain amount; amending s. 628.907, F.S.; conforming terms; amending s. 628.909, F.S.; conforming terms and requiring captive insurance companies to deposit and maintain securities for the protection of policyholders; amending ss. 628.9142, 628.915, 628.917, and 628.919, F.S.; conforming terms; providing an effective date.

By the Committee on Appropriations; and Senator Legg—

CS for SB 1630—A bill to be entitled An act relating to education; amending s. 1002.33, F.S.; requiring a charter school sponsor to submit an annual report that includes specified information; allowing a school district to enter into certain interlocal agreements and allowing charter schools to use the school district for certain related services; modifying the application process for charter schools; prohibiting a sponsor from requiring a charter school to have a certificate of occupancy before the first day of school; requiring a sponsor to make student academic achievement for all students a priority in deciding whether to renew a charter; modifying charter school requirements for financial records; imposing rules that follow the closing of a charter school or termination of a charter; requiring a charter school to maintain a public website with certain information; modifying statutory exemptions for charter schools; restricting the membership of a charter school governing board; amending s. 1002.331, F.S.; modifying a limitation for increasing student enrollment; providing that the sponsor may deny a request to increase enrollment under certain circumstances; establishing timeframes for a charter school requesting that multiple charters be consolidated; requiring that full implementation of online assessments for Next Generation Sunshine State Standards in English/language arts and mathematics for all kindergarten through grade 12 public school students occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts have been load tested and independently verified as ready for successful deployment and implementation; requiring that the technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, F.S., be load tested and independently verified as appropriate, adequate, efficient, and sustainable; providing an effective date.

By the Committees on Appropriations; Judiciary; and Children, Families, and Elder Affairs; and Senator Flores—

CS for CS for CS for SB 1644—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is

deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim’s status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing for an appropriation to the Department of Law Enforcement; providing that the department or any other criminal justice agency is not required to comply with certain requirements relating to expunging criminal history records until a specified date; providing effective dates.

By the Committees on Appropriations; and Environmental Preservation and Conservation; and Senator Altman—

CS for CS for SB 1684—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of the term “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; authorizing the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing applications for consumptive use of water permits; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of activities involving a new seawater desalination plant that does not receive funding from a water management district; providing an exception; amending s. 373.246, F.S.; allowing the governing board or the department to notify a permittee by electronic mail of any change in the condition of his or her permit during a declared water shortage or emergency; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting other local governmental entities from imposing requirements and fees or establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for location, construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds and wetlands from surface water management and storage requirements; requiring that a request for an exemption be made within a certain time period and that activities not begin until such exemption is made; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing maximum costs for preapproved advanced cleanup in a fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air

pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for water pollution operation permits; requiring the department to meet certain standards in making determinations; amending s. 403.0893, F.S.; authorizing stormwater utility fees to be charged to the beneficiaries of the stormwater utility; amending s. 403.7046, F.S.; providing requirements for the review of recovered materials dealer registration applications; providing that a recovered materials dealer may seek injunctive relief or damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; ratifying and approving certain leases approved by the Board of Trustees of the Internal Improvement Trust Fund; provided findings that the decision to authorize the use of board of trustees-owned uplands and the use of those lands as set forth in certain leases is not contrary to the public interest; providing that changes made by this act to ss. 403.031 and 403.0893, F.S., apply only to stormwater utility fees billed on or after July 1, 2013, to a stormwater utility's beneficiary for services provided on or after that date; providing an effective date.

By the Committees on Appropriations; and Education; and Senator Legg—

CS for CS for SB 1722—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education's Office of Independent Education and Parental Choice; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; providing a definition; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for the investigation of fraud or overpayment; providing penalties; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensa-

tion Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

By the Committees on Appropriations; and Appropriations—

CS for SB 1816—A bill to be entitled An act relating to health care; amending s. 409.811, F.S.; revising and providing definitions; amending s. 409.813, F.S.; revising the components of the Florida Kidcare program; prohibiting a cause of action from arising against the Florida Healthy Kids Corporation for failure to make health services available; amending s. 409.8132, F.S.; revising the eligibility of the Medikids program component; revising the enrollment requirements of the Medikids program component; amending s. 409.8134, F.S.; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility requirements for the Florida Kidcare program; amending s. 409.815, F.S.; revising the minimum health benefits coverage under the Florida Kidcare Act; deleting obsolete provisions; amending ss. 409.816 and 409.8177, F.S.; conforming provisions to changes made by the act; repealing s. 409.817, F.S., relating to the approval of health benefits coverage and financial assistance; repealing s. 409.8175, F.S., relating to delivery of services in rural counties; amending s. 409.818, F.S.; revising the duties of the Department of Children and Families and the Agency for Health Care Administration with regard to the Florida Kidcare Act; deleting the duties of the Department of Health and the Office of Insurance Regulation with regard to the Florida Kidcare Act; amending s. 409.820, F.S.; requiring the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, to develop a minimum set of pediatric and adolescent quality assurance and access standards for all program components; amending s. 624.91, F.S.; revising the legislative intent of the Florida Healthy Kids Corporation Act to include the Healthy Florida program; revising participation guidelines for non-subsidized enrollees in the Healthy Kids program; revising the medical loss ratio requirements for the contracts for the Florida Healthy Kids Corporation; modifying the membership of the Florida Healthy Kids Corporation's board of directors; creating an executive steering committee; requiring additional corporate compliance requirements for the Florida Healthy Kids Corporation; repealing s. 624.915, F.S., relating to the operating fund of the Florida Healthy Kids Corporation; creating s. 624.917, F.S.; creating the Healthy Florida program; providing definitions; providing eligibility and enrollment requirements; authorizing the Florida Healthy Kids Corporation to contract with certain insurers, managed care organizations, and provider service networks; encouraging the corporation to contract with insurers and managed care organizations that participate in more than one insurance affordability program under certain circumstances; requiring the corporation to establish a benefits package and a process for payment of services; authorizing the corporation to collect premiums and copayments; requiring the corporation to oversee the Healthy Florida program

and to establish a grievance process and integrity process; providing applicability of certain state laws for administration of the Healthy Florida program; requiring the corporation to collect certain data and to submit enrollment reports and interim independent evaluations to the Legislature; providing for expiration of the program; providing an implementation and interpretation clause; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing appropriations; providing an effective date.

By the Committees on Appropriations; and Health Policy—

CS for SB 1844—A bill to be entitled An act relating to the Health Choice Plus Program; amending s. 408.910, F.S.; conforming provisions to changes made by the act; providing that the Florida Insurance Code is not applicable in certain circumstances; creating s. 408.9105, F.S.; creating the Health Choice Plus Program; providing legislative intent; providing requirements of the program; providing definitions; providing eligibility requirements; providing for enrollment in the program; providing requirements and procedures for the deposit and use of funds in a health benefits account; providing that the marketplace is encouraged to use existing community programs and partnerships to deliver services and to include traditional safety net providers for the delivery of services to enrollees; requiring Florida Health Choices, Inc., to establish a refund process; authorizing the corporation to accept funds from various sources to deposit into health benefits accounts, subsidize the costs of coverage, and administer and support the program; requiring the corporation to manage the health benefits accounts and provide the marketplace of options which an enrollee in the program may use; providing for payment for achieving healthy living performance goals; requiring the program to post on its website a list of optional healthy living performance goals and to establish a procedure for documentation, achievement, and payment regarding the healthy living performance goals; providing that coverage under the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring the corporation to submit to the Governor and the Legislature information about the program in its annual report and an evaluation of

the effectiveness of the program; providing for a program review and repeal date; providing an appropriation; providing an effective date.

By the Committees on Appropriations; and Health Policy—

CS for SB 1884—A bill to be entitled An act relating to county Medicaid contributions; amending s. 409.915, F.S.; specifying the total contribution for the year and specifying the method for determining the amount in the following years; revising the method for calculating each county's contribution; providing tables for calculating county contributions; requiring the Agency for Health Care Administration to annually report the status of county billings to the Legislature; authorizing the Department of Revenue to withhold county distributions for failure to remit Medicaid contributions; deleting provisions specifying the care and services that counties must participate in, obsolete bond provisions, and a process for refund requests; specifying the method for calculating each county's contribution for the 2013-2014 fiscal year; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 57, CS for HB 135, CS for HB 267, CS for CS for CS for HB 319, CS for CS for CS for HB 321, CS for CS for CS for HB 487, CS for CS for CS for HB 1125, HB 7103, HB 7157; has passed as amended CS for CS for HB 85, HB 235, CS for CS for HB 247, CS for CS for CS for HB 785, CS for HB 903, CS for CS for CS for HB 999, CS for CS for HB 1223, CS for HB 1279, CS for HB 7025, CS for HB 7119, CS for HB 7121, CS for CS for HB 7127; has passed as amended by the required constitutional two-thirds vote of the members voting CS for HB 249; has adopted HM 763, CS for HM 1389, CS for HM 1405 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Government Operations Appropriations Subcommittee, Business & Professional Regulation Subcommittee and Representative(s) Porter—

CS for CS for HB 57—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners' Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Professional Regulation Trust Fund to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Appropriations.

By Economic Development & Tourism Subcommittee and Representative(s) Goodson—

CS for HB 135—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Community Affairs; and Appropriations.

By Local & Federal Affairs Committee and Representative(s) Wood—

CS for HB 267—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or

quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Economic Affairs Committee, Transportation & Highway Safety Subcommittee, Economic Development & Tourism Subcommittee and Representative(s) Ray—

CS for CS for CS for HB 319—A bill to be entitled An act relating to community transportation projects; amending s. 163.3180, F.S., relating to transportation concurrency; revising and providing requirements for local governments that continue to implement a transportation concurrency system; revising provisions for applicants for rezoning or a permit for a planned development to satisfy concurrency requirements; providing for such provisions to apply to development agreements; authorizing a local government to accept contributions from multiple applicants to satisfy such requirements under certain conditions; requiring local governments to provide the basis upon which landowners will be assessed certain costs; encouraging local governments without transportation concurrency to adopt an alternative mobility funding system; prohibiting alternative systems from denying, timing, or phasing a development application process if the developer agrees to pay for identified transportation impacts; requiring mobility fees to comply with the dual rational nexus test; prohibiting alternative systems from holding new developments responsible for existing deficiencies; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Rules.

By Economic Affairs Committee, Finance & Tax Subcommittee, Economic Development & Tourism Subcommittee and Representative(s) La Rosa, Adkins, Hutson, Mayfield—

CS for CS for CS for HB 321—A bill to be entitled An act relating to community development; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for new business development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

—was referred to the Committees on Community Affairs; and Education.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Stone, Workman, Ahern, Artiles, Diaz, M., Hager, McBurney, Metz, O'Toole, Perry, Roberson, K.—

CS for CS for CS for HB 487—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Judiciary Committee, Local & Federal Affairs Committee, Civil Justice Subcommittee and Representative(s) Goodson—

CS for CS for CS for HB 1125—A bill to be entitled An act relating to employers and employees; amending s. 34.01, F.S.; providing jur-

isdiction of county courts over wage theft civil actions; creating s. 448.115, F.S.; providing a definition for the term “wage theft”; creating a civil cause of action for wage theft; providing the procedure for filing of a civil action for wage theft; providing jurisdiction; providing a limitation on the filing fee; requiring a claimant to notify the employer of the employee’s intention to initiate a civil action; allotting the employer a specific time to resolve the action; providing a statute of limitations; requiring a claimant to prove wage theft by a preponderance of the evidence; providing a limitation for compensatory damages; prohibiting certain damages; authorizing a county, municipality, or political subdivision to establish a process by which a claim may be filed; prohibiting a local government from adopting or maintaining in effect a law, ordinance, or rule for the purpose of addressing unpaid wage claims; prohibiting the preemption of certain local ordinances governing wage theft; providing that any regulation, ordinance, or other provision for recovery of unpaid wages by counties, municipalities, or political subdivisions is prohibited and preempted to the state; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Appropriations.

By Healthy Families Subcommittee and Representative(s) Harrell—

HB 7103—A bill to be entitled An act relating to cross-over youth; creating a pilot project to serve youth in common to the Department of Children and Families and the Department of Juvenile Justice; providing for selection of a county for the project; requiring proposals from interested providers; specifying elements to be included in the project; requiring reports to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Criminal Justice; and Appropriations.

By Rulemaking Oversight & Repeal Subcommittee and Representative(s) Santiago—

HB 7157—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was referred to the Committee on Rules.

By Appropriations Committee, Government Operations Subcommittee and Representative(s) Steube, Edwards, Mayfield, Moraitis, Pilon, Williams, A.—

CS for CS for HB 85—A bill to be entitled An act relating to public-private partnerships; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements to construct, extend, or improve county roads; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; amending s. 348.754, F.S.; revising the limit on terms for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 1010.62, F.S.; adding public-private partnership

agreements to the definition of the term university “debt”; revising sources that may be used to secure or pay revenue bonds; authorizing revenues from royalties and licensing and auxiliary enterprise revenues to be used to secure debt for academic, educational, and research facilities that are part of a multipurpose project; authorizing academic and educational activities to be bonded without legislative approval of the specific project; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Community Affairs.

By Representative(s) Bracy, Rodríguez, J., Rogers—

HB 235—A bill to be entitled An act relating to requirements for driver licenses; amending s. 322.08, F.S.; including notice of the approval of an application for Deferred Action for Childhood Arrivals status issued by United States Citizenship and Immigration Services as valid proof of identity for purposes of applying for a driver license; reenacting ss. 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4), F.S., relating to conditions and limitations with respect to obtaining a duplicate or replacement instruction permit or driver license, expiration of and renewal of a driver license, and change of name or address on a driver license for licensees who establish their identity in a specified manner, to incorporate the amendments made by the act to s. 322.08, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Rules.

By Local & Federal Affairs Committee, Government Operations Subcommittee and Representative(s) Nelson—

CS for CS for HB 247—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform statewide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of regular mail; providing requirements and conditions applicable to such electronic communications; amending s. 903.14, F.S.; permitting the electronic filing of certain affidavits; amending s. 903.26, F.S.; authorizing a clerk of court to mail or electronically transmit a notice relating to a bond forfeiture proceeding; amending s. 903.27, F.S.; permitting a clerk of court to furnish certain required documents and notices relating to bond forfeitures by mail or electronic means; amending s. 903.31, F.S.; providing that a certificate of cancellation of an original bond may be furnished by mail or electronically; providing an effective date.

—was referred to the Committee on Community Affairs.

By Judiciary Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Eagle, Van Zant—

CS for CS for CS for HB 785—A bill to be entitled An act relating to restitution for juvenile offenses; amending s. 985.437, F.S.; requiring a child's parent or guardian, in addition to the child, to make restitution for damage or loss caused by the child's offense; providing for payment plans in certain circumstances; authorizing the parent or guardian to be absolved of liability for restitution in certain circumstances; providing exceptions; amending s. 985.513, F.S.; removing duplicative provisions authorizing the court to require a parent or guardian to be responsible for any restitution ordered against the child; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By Civil Justice Subcommittee and Representative(s) Davis, Waldman, Artiles, Campbell, Clarke-Reed, Stark—

CS for HB 903—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; amending s. 197.3335, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

—was referred to the Committee on Judiciary.

By State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee and Representative(s) Patronis, Peters, Albritton, Combee, Hager, Moraitis, Pilon, Raburn, Rooney, Van Zant—

CS for CS for CS for HB 999—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; providing for the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of seawater desalination plant activities; providing an exception; amending s. 373.246, F.S.; authorizing the department or governing board to notify permittees by electronic mail of permit changes under certain conditions; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting certain counties and other government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing the amount of funding for preapproved advanced cleanup work contracts; increasing the amount of funding a facility is eligible for in each fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for denial of water pollution operation permit applications; amending s. 403.0893, F.S.; authorizing a local government to charge stormwater utility fees to the beneficiaries of the stormwater utility; providing for the collection of delinquent fees; amending s. 403.7046, F.S.; prohibiting local governments from using information contained in recovered materials dealer

registration applications for specified purposes; providing that a recovered materials dealer may seek injunctive relief and damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; providing for applicability of specified changes made by the act; providing for legislative ratification and approval of specified leases approved by the Board of Trustees of the Internal Improvement Trust Fund; providing legislative findings with respect to such leases; creating the Florida Fertilizer Regulatory Review Council; providing legislative findings; providing for the council's purpose, membership, and duties; providing for the council to be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; requiring the council to submit a report to the Governor, Legislature, and specified officials; providing for dissolution of the council; prohibiting local governments from adopting or enforcing certain ordinances; providing an exception; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) Grant, Spano, Dudley, Gaetz—

CS for CS for HB 1223—A bill to be entitled An act relating to deceptive and unfair trade practices; reordering and amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military servicemember or the servicemember's spouse or dependent child in certain circumstances; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Children, Families, and Elder Affairs; and Judiciary.

By Education Appropriations Subcommittee and Representative(s) Metz, Fullwood, Jones, M., Jones, S., Lee, McGhee, Porter, Rouson, Taylor—

CS for HB 1279—A bill to be entitled An act relating to high school athletics; reenacting and amending s. 1002.20(17), F.S.; making technical changes; amending s. 1006.15, F.S.; revising criteria for student eligibility for participation in extracurricular activities; defining the term "public school"; authorizing certain students to participate in an extracurricular activity at another school subject to certain requirements; amending s. 1006.19, F.S.; providing requirements for an annual financial and compliance audit of an association that supervises interscholastic activities of public high schools; requiring that an association or corporation that supervises interscholastic activities of public high schools complete a report; specifying report requirements; requiring the report to be submitted to the Commissioner of Education and the Legislature annually; amending s. 1006.20, F.S.; providing that the designation of the Florida High School Athletic Association (FHSAA) as the governing nonprofit organization of athletics expires on a specified date; specifying that the FHSAA is subject to the provisions of chs. 119 and 286, F.S.; revising the criteria for bylaws, policies, or guidelines adopted by the FHSAA; requiring the FHSAA to complete a review by a specified date; requiring that the FHSAA submit a report to the Commissioner of Education, the Governor, and the Legislature; providing requirements for investigations and investigators; authorizing the assessment of fees to cover costs for certain proceedings; establishing notice requirements; providing procedures for student attendance and transfer approvals; providing for hearings before the Division of Administrative Hearings (DOAH); authorizing DOAH to assess fees payable by the nonprevailing party to administer the hearings; providing that the burden is on the FHSAA to demonstrate by clear and convincing evidence that a student is ineligible to participate in a high school athletic competition; requiring that the FHSAA pay costs and attorney fees in certain circumstances; revising the composition of the board of directors of the FHSAA and terms of office; revising what constitutes a quorum of the board of di-

rectors; providing that the appointment of the executive director is subject to Senate confirmation; providing restrictions on the salary, per diem, and travel expenses of the FHSAA's executive director; providing restrictions on the levy of dues and fees and the collection of contest receipts; providing authority to levy fines, penalties, and sanctions against schools and coaches; revising provisions relating to the FHSAA's representative assembly; providing that members of the FHSAA's public liaison advisory committee are entitled to reimbursement for per diem and travel expenses at the same rate as state employees; providing an effective date.

—was referred to the Committees on Education; and Rules.

By Regulatory Affairs Committee, Business & Professional Regulation Subcommittee and Representative(s) Eagle—

CS for HB 7025—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising and providing definitions related to the Florida Vacation Plan and Timesharing Act; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.15, F.S.; requiring the successor in interest to be listed as the owner of the timeshare interest under certain conditions; requiring an estoppel letter in certain timeshare resale transfer transactions; amending s. 721.17, F.S.; prohibiting certain activities related to offering timeshare interest transfer services; requiring resale transfer agreements to contain specified information; requiring the establishment of an escrow account for certain purposes; providing requirements and duties of the escrow agent; providing penalties; providing for applicability; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

—was referred to the Committees on Judiciary; and Regulated Industries.

By Judiciary Committee, Business & Professional Regulation Subcommittee and Representative(s) La Rosa, Artiles, Gibbons—

CS for HB 7119—A bill to be entitled An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association to retain such certification for 5 years; requiring the board to follow specified procedures relating to

contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association; providing for removal from office for violations; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; authorizing an association to waive the requirement of obtaining an insurance policy or fidelity bond under certain conditions; amending s. 720.306, F.S.; requiring the association to provide copies of amendments to the governing documents to members under certain conditions; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding amendments to governing documents in associations under developer control; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner's liability for certain assessments; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Rules.

By Justice Appropriations Subcommittee, Judiciary Committee and Representative(s) Baxley, Campbell, Coley, Diaz, M., Raschein, Santiago, Stone—

CS for HB 7121—A bill to be entitled An act relating to inmate reentry; amending s. 322.051, F.S.; waiving the fee for identification cards issued to certain inmates; amending s. 382.0255, F.S.; requiring a waiver of fees for certain inmates receiving a copy of a birth certificate; amending s. 944.605, F.S.; requiring the Department of Corrections to work with other agencies in acquiring necessary documents for certain inmates to acquire an identification card before release; providing exceptions; requiring the department to provide specified assistance to inmates born outside this state; requiring a report; amending s. 944.803, F.S.; authorizing the department to operate male and female faith- and character-based institutions; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Artiles—

CS for CS for HB 7127—A bill to be entitled An act relating to the Department of Transportation; amending s. 11.45, F.S.; removing a provision for audits of certain transportation corporations by the Auditor General; amending s. 20.23, F.S.; revising provisions relating to functions of the Florida Transportation Commission to add certain monitoring of Regional Transportation Finance Authorities and the Mid-Bay Bridge Authority; removing Secretary of Transportation review of the expenses of the Florida Statewide Passenger Rail Commission; revising the administrative support requirement for the Florida Statewide Passenger Rail Commission; designating an executive director and assistant executive director of the statewide passenger rail commission; amending s. 110.205, F.S., relating to career service exempt positions; revising the title of an existing department position; amending s. 125.35, F.S.; authorizing counties to lease real or personal property belonging to the county; amending s. 125.42, F.S.; providing that an entity granted a license to construct and maintain utility or television lines shall move or remove such lines at no cost to the county if the lines are found by the county to be unreasonably interfering with road widening, repair, or reconstruction; creating s. 316.01, F.S.; providing that a local governmental entity may not prevent vehicular ingress or egress on a trans-

portation facility into or out of a state university facility; amending s. 316.530, F.S., relating to towing requirements; removing a provision that prohibits assessment of a penalty for the combined weights of a disabled vehicle and a wrecker or tow truck; amending s. 316.545, F.S.; revising the maximum amount the gross vehicle weight may be reduced for calculation of a penalty for excess weight when an auxiliary power unit is installed on a commercial motor vehicle; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of the Florida Salutes Veterans license plate; amending s. 331.360, F.S., relating to aerospace facilities; removing provisions for a spaceport master plan; directing Space Florida to develop a spaceport system plan for certain purposes; providing for content of the plan; directing Space Florida to submit the plan to metropolitan planning organizations for review of intermodal impact and to the department; authorizing the department to include relevant portions in the 5-year work program; revising responsibilities of the department relating to aerospace facilities; authorizing the department to administratively house its space transportation responsibilities within an existing division or office; authorizing the department to enter into an agreement with Space Florida for specified purposes; authorizing the department to allocate certain funds under specified conditions; requiring Space Florida to provide certain information to the department before an agreement is executed; amending s. 332.007, F.S.; authorizing the department to fund strategic airport investment projects that meet specified criteria; amending s. 334.044, F.S.; prohibiting the department from entering into any lease-purchase agreement with any expressway authority, regional transportation authority, or other entity; providing the prohibition does not invalidate existing specified lease-purchase agreements or limit the department's authority relating to certain public-private transportation facilities; authorizing the department to enter into a concession agreement for commercial sponsorship displays on certain multiuse trails and facilities and providing for use of the revenue received; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.055, F.S.; authorizing the department to enter into contracts with community development districts to perform routine maintenance work on the State Highway System; limiting liability; amending s. 335.06, F.S.; authorizing the department to improve and maintain any road that is part of a county road system or city street system that provides access to property within the state park system; requiring the county or city to maintain such road if the department does not; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of motor vehicle registration; amending s. 337.14, F.S.; revising requirements for a person desiring to bid for the performance of certain department construction contracts to be prequalified; amending s. 337.168, F.S., relating to confidentiality of bid information; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; revising provisions for disposition of property by the department; authorizing the department to contract for auction services for conveyance of property; revising requirements for an inventory of property; amending s. 337.251, F.S.; revising provisions for lease of property; requiring the department to publish a notice of receipt of a proposal for lease of particular department property and accept other proposals; revising notice procedures; requiring the department to establish by rule an application fee for lease proposals; authorizing the department to engage the services of private consultants to assist in evaluating proposals; requiring the department to make specified determinations before approving a proposed lease; amending s. 337.403, F.S., relating to interference by a utility of the use of a public road or publicly owned rail corridor; providing for an authority to bear certain costs to eliminate interference when the utility certifies that it cannot prove or disprove it has a compensable property right where the utility is located; requiring the department to pay for utility work related to commuter rail or intercity passenger rail under certain circumstances; providing an exception; authorizing the department to pay for utility relocation in rural areas of critical economic concern under certain circumstances; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing to commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for the removal of parking meters and parking time-limit devices under certain circumstance; providing for municipalities and counties to pay the cost of removal; providing for a moratorium on new parking meters of other

parking time-limit devices on the state right-of-way; providing an exception; amending s. 338.161, F.S.; revising provisions for the department to enter into agreements for certain purposes with public or private transportation facility owners whose systems become interoperable with the department's systems; amending s. 338.165, F.S.; removing references to certain facilities from the list of facilities the department is authorized to request bond issuance secured by facility revenues amending s. 338.26, F.S.; revising the uses of fees generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing a provision that authorizes a district to issue bonds or notes; amending s. 339.175, F.S.; revising provisions for designation of metropolitan planning organizations and provisions for voting membership; revising the criteria that qualify a local government for participation in a metropolitan planning organization; providing that certain counties shall be designated separate metropolitan planning organizations; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the department for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definitions, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the department and the corporation, articles of incorporation, boards of directors and advisory directors, bylaws, meetings and records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; amending s. 339.55, F.S.; providing for the state-funded infrastructure bank to lend capital costs or provide credit enhancements for projects that provide intermodal connectivity with spaceports and to make emergency loans for damages to public-use spaceports; revising criteria the department may consider for evaluation of projects for assistance from the bank; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service," as used in the Florida Public Transit Act; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referenda; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; amending s. 341.053, F.S.; revising provisions for use of Intermodal Development Program funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; providing that copies of the permit application will be sent to municipalities and counties who will have an opportunity to comment on the application; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; providing for counties to form a regional transportation finance authority to construct, maintain, or operate transportation projects in a region of the state; providing for governance of an authority; providing for membership and organization of an authority; creating s. 345.0004, F.S.; providing for the powers and duties of an authority; limiting an authority's power with

respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing an authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must meet certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing rights and remedies granted to certain bondholders; providing actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to a receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide resources for an authority project or system if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between certain entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; exempting the authority from paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; amending s. 348.754, F.S.; revising the term limitation for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; creating s. 373.6053, F.S., authorizing water management districts to reassess the designation of positions for inclusion in the Senior Management Service Class; authorizing the removal of positions from the class; providing effective dates.

—was referred to the Committees on Transportation; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Local & Federal Affairs Committee and Representative(s) Nelson—

CS for HB 249—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

By Representative(s) Caldwell, Artiles, Beshears, Metz, Smith, Wood—

HM 763—A memorial to the Congress of the United States, urging Congress to propose to the states an amendment to the Constitution of the United States that would limit the consecutive terms of office which a member of the United States Senate or the United States House of Representatives may serve.

—was referred to the Committees on Ethics and Elections; and Rules.

By Local & Federal Affairs Committee and Representative(s) Diaz, J., Artiles, Ingram—

CS for HM 1389—A memorial to the Congress of the United States, urging Congress to offer its continued support of the relationship and shared interests between the people of Taiwan and the United States.

—was referred to the Committee on Commerce and Tourism.

By Local & Federal Affairs Committee and Representative(s) Moskowitz, Adkins, Ahern, Artiles, Baxley, Berman, Beshears, Boyd, Brodeur, Broxson, Caldwell, Campbell, Castor Dentel, Clelland, Combee, Cruz, Danish, Diaz, J., Dudley, Eagle, Edwards, Fitzenhagen, Fullwood, Gaetz, Gibbons, Hager, Hood, Hooper, Ingram, Jones, S., Kerner, Lee, Magar, Mayfield, McBurney, Metz, O’Toole, Pafford, Passidomo, Patronis, Perry, Peters, Pigman, Pilon, Porter, Pritchett, Raburn, Rader, Raschein, Raulerson, Roberson, K., Rodrigues, R., Rooney, Rouson, Saunders, Slosberg, Smith, Spano, Stark, Steube, Stewart, Stone, Taylor, Tobia, Van Zant, Williams, A., Zimmermann—

CS for HM 1405—A memorial to the Congress of the United States, urging Congress and the President to utilize their resources to ensure the safe return of captive Robert Levinson from Iran.

—was referred to the Committee on Military and Veterans Affairs, Space, and Domestic Security.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 364 and SB 628.

Robert L. “Bob” Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 24 was corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—CS for SB 1036; Altman—CS for SB 1036, SB 1832; Bean—CS for SB 1036; Benacquisto—CS for SB 1036; Bradley—CS for SB 1036; Brandes—CS for SB 1036; Braynon—CS for SB 1036; Bullard—CS for SB 1036; Clemens—CS for SB 1036; Dean—CS for SB 1036; Diaz de la Portilla—CS for SB 1036; Evers—CS for SB 1036; Flores—CS for SB 1036; Gaetz—CS for SB 1036; Galvano—CS for SB 1036; Garcia—CS for SB 1036; Gardiner—CS for SB 1036; Gibson—CS for SB 1036; Grimsley—CS for SB 1036; Hays—CS for SB 1036; Hukill—CS for SB 1036; Joyner—CS for SB 1036; Latvala—CS for SB 1036; Lee—CS for SB 1036; Legg—CS for SB 1036; Margolis—CS for SB 1036; Montford—CS for SB 1036; Negron—CS for SB 1036; Richter—CS for SB 1036; Ring—CS for SB 1036; Sachs—CS for SB 1036; Simmons—CS for SB 1036; Simpson—CS for SB 1036; Smith—CS for SB 1036; Sobel—CS for SB 716, CS for SB 1036; Soto—CS for SB 1036; Stargel—CS for SB 1036; Thompson—CS for SB 1036; Thrasher—CS for SB 1036

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:01 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Friday, April 26 or upon call of the President.



Journal of the Senate

Number 18—Regular Session

Friday, April 26, 2013

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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:00 a.m. A quorum present—39:

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Excused: Senator Bullard; Senator Negron periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Pastor Earl W. Glisson, Senior Pastor, Anchor Faith Church, St. Augustine:

Dear Heavenly Father, the creator of heaven and earth, we place ourselves in remembrance that you are the ruler of all and that you, above all, understand the need in the governance of humanity. For in the beginning you created man, both male and female, in your image and likeness and entrusted to man the mandate of dominion. A dominion that rests solely on the obedience to your will and purpose. In essence, you desire to rule from your realm into this realm through man submitted to your spirit. We humbly come today in prayer seeking your will in accordance with your written word, "Your kingdom come, your will be done, on earth as it is in heaven."

We are thankful that you desire not to be absent from government proceedings, but rather be consulted, and have given us examples of how you worked with men and women to be influences in government. As a result, their prayers, their actions saved and benefited the lives of many others. Let us remember the great king of old that asked not for wealth or the death of his enemies, but for the wisdom to lead your created people. Let us remember the man you used to save a nation from financial collapse in a time of famine, or the woman you used to enact an amended law for the defense of a nation who had been set for destruc-

tion. These and many others have left us with the reminder of what the scriptures declare: "Blessed is the nation whose God is the Lord."

With all this in mind, I pray for your wisdom; the wisdom from above which is pure, then peaceable, gentle, reasonable, full of mercy and good fruits, unwavering, without hypocrisy, to come to these great men and women that are before me in this Senate. May they seek your purpose and not the purpose of another. For where selfish ambitions exist, there is disorder and every evil thing. That as this year's session is drawing to a close, I pray that they would receive divine understanding and moral clarity to enact legislation and pass laws that benefit all Floridians and serve as a model to the rest of our nation. By doing so, in years to come, the work they accomplish together today would aid in the safety and advancement of humanity and magnify your great name. Lord, strengthen them in their call to public service by empowering them by your spirit with blessings and protection toward them, their staff members, and their families. In the name of Jesus, I pray. Amen.

PLEDGE

Senate Pages Chris Hawkins of Orlando; Bailey Smith and Katie Rasmussen of Tallahassee; and Viviana Hernandez and Katy Goodwin of Navarre 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. Walter B. Flesner III of Cape Coral, sponsored by Senator Benacquisto, as doctor of the day. Dr. Flesner III specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Garcia—

By Senator Garcia—

SR 816—A resolution encouraging the 113th Congress of the United States to consider the five principles embraced by the Partnership for a New American Economy as it works to develop comprehensive immigration reforms.

WHEREAS, the 1965 Immigration and Nationality Act brought a Depression-era immigration system into the post-World War II, Civil Rights age, abandoning longstanding racial quotas in favor of a system that strives for equality and focuses on reuniting families and, to a lesser extent, meeting workplace needs, and

WHEREAS, while the 1965 reforms at that time represented a significant advance for families and equality, what was modern in an age before the VCR, the heart transplant, or the moon landing is antiquated in a digital age marked by instantaneous access to information and the rise of a global marketplace, and this nation's immigration system is once again outmoded, outdated, and ill-equipped for the demands of a modern society, and

WHEREAS, as the 113th Congress takes up the call for immigration reform, the Partnership for a New American Economy offers five principles that are essential to a modern immigration system: attracting and retaining the world's top innovators and entrepreneurs; recruiting talented workers needed to fill gaps in high- and low-skilled sectors of the economy; bringing 11 million undocumented immigrants into the legal economy so that they can pay taxes, attain better education, and contribute more to the economic growth of the United States; developing a

state of the art system to ensure that immigration laws are enforced and obeyed; and ensuring that the immigration system is easy to understand, easy to navigate, and easy to implement, and

WHEREAS, this great nation is long overdue for an equally significant overhaul of our immigration laws to advance our economy, NOW, THEREFORE,

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

That we encourage the 113th Congress of the United States to consider the five principles embraced by the Partnership for a New American Economy as it works to develop a comprehensive immigration reform that will lead this nation in promoting innovation and entrepreneurship and maximizing the productivity of the workforce.

—**SR 816** was introduced, read and adopted by publication.

At the request of Senator Legg—

By Senator Legg—

SR 1896—A resolution recognizing the 40th anniversary of Pasco-Hernando Community College.

WHEREAS, in 1967, the Legislature established Pasco-Hernando Community College (PHCC) as the 28th and final community college, and

WHEREAS, under the leadership of PHCC's district board of trustees, the college began operations and enrolled its first student in the fall of 1972, and

WHEREAS, through the generosity of the citizens of Pasco and Hernando Counties, land was purchased in Dade City and Governor Reubin O'Donovan Askew dedicated the first building on PHCC's East Campus in Dade City in 1975, and

WHEREAS, to serve all 1,200 square miles of its district through conveniently located facilities and to carry out the vision of its district board of trustees, PHCC currently operates campuses in Brooksville, Dade City, New Port Richey, and Spring Hill, and is constructing the Porter Campus at Wiregrass Ranch, a new, full-service campus scheduled to open in Wesley Chapel in 2014, and

WHEREAS, PHCC has awarded more than 32,000 degrees and other academic credentials and claims among its distinguished alumni a Pulitzer Prize-winning journalist; several current and former members of the Legislature, state executive branch, and United States Congress; and doctors, lawyers, law enforcement officers, educators, nurses, radiographers, paramedics, paralegals, computer and Internet technicians, welders, and numerous other professionals, and

WHEREAS, PHCC serves more than 15,000 students annually and currently offers more than 60 career and academic programs, as well as a wide variety of continuing education, corporate training, and other educational options, to serve the needs of the citizens and businesses of Pasco and Hernando Counties, and

WHEREAS, the college maintains active and successful student development and engagement programs, which have earned national and state recognition, as well as intercollegiate athletic programs, which have won several regional and state championships and a national championship in women's volleyball in 2010, and

WHEREAS, PHCC continues to maintain its accreditation with the Commission on Colleges of the Southern Association of Colleges and Schools to award the associate degree, NOW, THEREFORE,

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

That Pasco-Hernando Community College is congratulated on its 40th anniversary and recognized for the efforts of its dedicated board of trustees, administrators, faculty, staff, and students.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Pasco-Hernando Community College as a tangible token of the sentiments expressed herein.

—**SR 1896** was introduced, read and adopted by publication.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz
President, The Florida Senate April 26, 2013

Dear President Gaetz:

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>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board Appointee: Francis, Wayne A.	10/31/2016
Florida Commission on Community Service Appointee: Scriven, Charles J.	09/14/2015
Board of Trustees of Indian River State College Appointee: Feurer, Mark A.	05/31/2014
Board of Trustees of State College of Florida, Manatee-Sarasota Appointee: Hager, Marlen J., Jr.	05/31/2013
Board of Trustees of Northwest Florida State College Appointees: Ansley, Clarence Wayne Byrne, Patrick E. II Drake, Brad	05/31/2015 05/31/2014 05/31/2014
Board of Trustees of Pensacola State College Appointee: Moore, Marjorie T.	05/31/2015
Board of Trustees of St. Johns River State College Appointee: Webb, Mary Ellen	05/31/2013
Construction Industry Licensing Board Appointee: Layton, Mary	10/31/2015
Board of Trustees for the Florida School for the Deaf and the Blind Appointee: McClure, George M.	02/07/2015
Board of Dentistry Appointee: Cabanzon, Catherine	10/31/2016
Board of Employee Leasing Companies Appointee: Buchanan, Scott	10/31/2014
Tampa-Hillsborough County Expressway Authority Appointee: Cassidy, Vincent J.	07/01/2016
Investment Advisory Council Appointee: Collins, Peter H.	12/12/2016
Board of Massage Therapy Appointees: Burke-Wammack, Bridget K. Phillips, Sharon L.	10/31/2016 10/31/2013
Board of Optometry Appointee: Kaplan, Stuart I.	10/31/2016
Board of Orthotists and Prosthetists Appointee: Nilssen, Erik C.	10/31/2013
Board of Physical Therapy Practice Appointees: Quillen, William S. Tasso, Kay H.	10/31/2014 10/31/2016
Florida Real Estate Appraisal Board Appointee: McKee, Tamara J.	10/31/2016

Office and Appointment

Apalachee Regional Planning Council, Region 2		
Appointee: Radford, Dawn E.	10/01/2015	
Withlacoochee Regional Planning Council, Region 5		
Appointees: Craig, Avis Marie	10/01/2015	
Selph, Walter E.	10/01/2015	
Central Florida Regional Planning Council, Region 7		
Appointee: Huddleston, Chester L.	10/01/2013	
Southwest Florida Regional Planning Council, Region 9		
Appointees: Karau, Melvin E.	10/01/2015	
Perry, Thomas C., Jr.	10/01/2015	
Jacksonville Port Authority		
Appointee: Falconetti, John	09/30/2015	
Board of Veterinary Medicine		
Appointee: Parratto-Wagner, Nanette	10/31/2015	

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

Office and Appointment

Criminal Conflict and Civil Regional Counsel - First District Court of Appeal		
Appointee: Lewis, Jeffrey E.	07/01/2015	
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal		
Appointee: Neymotin, Ita M.	07/01/2015	
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal		
Appointee: Zenobi, Eugene F.	07/01/2015	
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal		
Appointee: Ryan, Antony Parker	07/01/2015	
Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal		
Appointee: Deen, Jeffrey D.	07/01/2015	
Parole Commission		
Appointees: Cohen, Bernard R., Sr.	06/30/2014	
Coonrod, Melinda N.	06/30/2018	

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

Office and Appointment

Investment Advisory Council		
Appointees: Cobb, Charles E.	12/12/2015	
Daniels, Leslie B.	12/12/2014	
Harrell, William H., Jr.	02/01/2016	
Price, Michael F.	12/12/2014	
Wendt, Gary C.	12/12/2015	
Participant Local Government Advisory Council		
Appointees: Belden, Douglas R.	01/12/2017	
Heffner, Patsy	01/12/2017	
Lovoy, Amy	01/12/2017	
Price, Gary B., Jr.	01/12/2017	

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

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

(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and

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

Respectfully submitted,
Jack Latvala, Chairman

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

The vote was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	
Flores	Negron	

Nays—None

BILLS ON THIRD READING

Consideration of **CS for SB 964**, **CS for HB 7065**, **CS for SB 1302**, and **CS for CS for CS for SB 1734** was deferred.

CS for CS for HB 1393—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; authorizing the use of certain brands and marks on containers used for the storage and transport of agricultural and other commercial products to designate and distinguish ownership of the containers; creating s. 506.265, F.S.; providing definitions; providing requirements for the sale and purchase of a specified number of plastic bulk merchandise containers; providing that prosecuting attorneys may inspect records of purchase at any time upon reasonable notice; providing criminal and civil penalties; providing an exception for the operator of a waste management facility and certain tax-exempt entities; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for CS for HB 1393** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dean	Gibson
Abruzzo	Detert	Grimsley
Altman	Diaz de la Portilla	Hays
Bean	Evers	Hukill
Benacquisto	Flores	Joyner
Bradley	Galvano	Latvala
Braynon	Garcia	Lee
Clemens	Gardiner	Legg

Margolis	Simmons	Stargel
Montford	Simpson	Thompson
Richter	Smith	Thrasher
Ring	Sobel	
Sachs	Soto	

Nays—None

Vote after roll call:

Yea—Brandes

CS for CS for HB 713—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for CS for HB 713** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

CS for CS for SB 848—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 848**, on motion by Senator Gardiner, by two-thirds vote **CS for HB 135** was withdrawn from the Committees on Military and Veterans Affairs, Space, and Domestic Security; Community Affairs; and Appropriations.

On motion by Senator Gardiner, by two-thirds vote—

CS for HB 135—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 848** and read the second time by title.

On motion by Senator Gardiner, by two-thirds vote **CS for HB 135** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Simmons

CS for HB 695—A bill to be entitled An act relating to tied house regulation; amending s. 561.42, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to impose administrative sanctions for violations of specified provisions of the Beverage Law under certain circumstances; prohibiting licensees from possessing or using certain coupons for malt beverages; removing a provision prohibiting distributors of beer from furnishing certain coupons to consumers; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for HB 695** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Montford	

Nays—None

HB 7015—A bill to be entitled An act relating to expert testimony; amending s. 90.702, F.S.; providing that a witness qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion as to the facts at issue in a case under certain circumstances; requiring the courts of this state to interpret and apply the principles of expert testimony in conformity with specified United States Supreme Court decisions; subjecting pure opinion testimony to such requirements; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible in evidence may not be disclosed to the jury by the proponent of the opinion or inference unless the court determines that the probative value of the facts or data in assisting the jury to evaluate the expert's opinion substantially outweighs the prejudicial effect of the facts or data; providing an effective date.

—as amended April 25 was read the third time by title.

On motions by Senator Richter, **HB 7015** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Grimsley	Ring
Brandes	Hays	Simmons
Dean	Hukill	Simpson
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thrasher

Nays—9

Abruzzo	Gibson	Smith
Braynon	Joyner	Soto
Clemens	Sachs	Thompson

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senator Negron, by unanimous consent—

CS for SB 1750—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.40, F.S.; requiring the court to appoint the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; amending s. 27.51, F.S.; removing the court's authority to appoint a public defender to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.511, F.S., removing the court's authority to appoint the office of criminal conflict and civil regional counsel to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.5303, F.S., removing the court's authority to appoint a public defender to represent an indigent person convicted and sentenced to death in clemency proceedings; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.7001, F.S.; removing legislative intent language indicating that collateral representation of persons convicted and sentenced to death should not include representation during clemency proceedings; repealing s. 27.701(2), F.S., relating to a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S., authorizing the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking and action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for five years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to meet certain criteria; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager and requiring the Justice Administrative Commission to approve uniform contract forms and procedures;

amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.052, F.S.; requiring the sheriff to send a copy of the conviction and sentence to the Governor and the clerk of the Florida Supreme Court; directing the clerk to inform the Governor in writing certifying that a person convicted and sentenced to death has completed the applicable proceedings or has allowed the time permitted for filing a habeas corpus petition in federal court to expire; requiring the Governor to issue a warrant of execution within a specified period of time; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Florida Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; creating legislative intent regarding postconviction proceedings in capital cases; creating s. 940.031, F.S.; requiring the Governor and Cabinet, sitting as the Board of Executive Clemency, to appoint counsel to represent a person sentenced to death for relief by executive clemency; providing for a limitation on attorney fees and costs; requiring the Board to maintain a list of counsel available for appointment; repealing sections 924.058, 924.059, and 924.395, F.S.; relating to postconviction capital case proceedings; providing for severability; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 1750**, on motion by Senator Negron, by two-thirds vote **CS for CS for HB 7083** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Negron, the rules were waived and by two-thirds vote—

CS for CS for HB 7083—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.701(2), F.S.; repealing a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S.; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking and action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.704, F.S.; requiring attorneys who contract with the capital collateral regional counsel to meet certain criteria; creating s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for 5 years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager; requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.095, F.S.; requiring persons convicted and sentenced to death to pursue all possible collateral remedies in state court in ac-

cordance with the Florida Rules of Criminal Procedure rather than in accordance with statute; amending s. 922.052, F.S.; requiring the sheriff to send the record of a person's conviction and death sentence to the clerk of the Florida Supreme Court; requiring the clerk of the Florida Supreme Court to inform the Governor in writing certifying that a person convicted and sentenced to death meets certain criteria; requiring the Governor to issue a warrant within 30 days of receiving the clerk's letter of certification in all cases where the executive clemency process has concluded directing the warden to execute the sentence within 180 days; authorizing the Governor to sign a warrant of execution if the clerk of the Florida Supreme Court does not comply; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; providing legislative intent regarding postconviction proceedings in capital cases; repealing ss. 924.058, 924.059, and 924.395, F.S., relating to postconviction capital case proceedings; providing severability; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 1750** and by two-thirds vote read the second time by title.

Senator Soto moved the following amendments which failed:

Amendment 1 (470702) (with title amendment)—Delete lines 180-213.

And the title is amended as follows:

Delete lines 14-19 and insert: postconviction actions authorized by statute; amending s. 27.704, F.S.;

Amendment 2 (731890) (with title amendment)—Delete lines 249-264.

And the title is amended as follows:

Delete lines 22-28 and insert: amending s.

Amendment 3 (925334)—Delete lines 384-388 and insert: *to the records repository all public records of a proceeding under Rule 3.851, Florida Rules of Criminal Procedure. The Secretary of Corrections shall provide written*

Amendment 4 (642074) (with title amendment)—Between lines 857 and 858 insert:

Section 16. *Effective for an offense committed on or after October 1, 2013, an advisory sentence of death must be made by at least a 10 to 2 super majority recommendation of the jury. The court shall instruct the jury that, in order for the jury to recommend to the court that the death penalty be imposed, the jury must find that sufficient aggravating circumstances exist which outweigh any mitigating circumstances found to exist. The court shall further instruct the jury that each aggravating circumstance used to support the jury's recommendation of death must be proven beyond a reasonable doubt by at least a 10 to 2 super majority vote. The court shall provide a special verdict form for each aggravating circumstance found.*

And the title is amended as follows:

Delete line 78 and insert: postconviction proceedings in capital cases; requiring that an advisory sentence of death must be made by at least a 10 to 2 super majority recommendation of the jury after a specified date; requiring the court to instruct the jury on various matters; repealing

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Thompson moved the following amendment which failed:

Amendment 5 (347866) (with title amendment)—Between lines 859 and 860 insert:

Section 17. Section 961.055, Florida Statutes, is created to read:

961.055 Eligibility for compensation for certain wrongfully incarcerated persons sentenced to death.—A person convicted and sentenced to death before 1980 is exempt from the provisions of ss. 961.03, 961.04, and 961.05 and eligible for compensation pursuant to s. 961.06 if:

- (1) *The person has been incarcerated in this state;*
- (2) *The Governor, by executive order, appoints a special prosecutor to review the person's conviction and sentence; and*
- (3) *The special prosecutor appointed by the Governor thereafter enters a nolle prosequere for the charges upon which the person was convicted and sentenced, which shall constitute conclusive evidence and proof that the person is actually innocent and eligible for compensation under this chapter.*

Section 18. Section 961.056, Florida Statutes, is created to read:

961.056 Application for certain wrongfully incarcerated persons sentenced to death.—

(1) *A person who is eligible for compensation under s. 961.055 may initiate an application for compensation no later than July 1, 2015, irrespective of whether he or she has previously sought compensation under this chapter.*

(2) *A person who is eligible for compensation under s. 961.055 may apply to the Department of Legal Affairs for compensation. The estate of, or personal representative for, a decedent who was eligible for compensation pursuant to s. 961.055 is not entitled to apply on behalf of the decedent for compensation under this chapter.*

(3) *The application must include:*

(a) *A certified copy of the nolle prosequere or nolle prosequere memorandum;*

(b) *Certified copies of the original judgment and sentence;*

(c) *Documentation demonstrating the length of the sentence served, including documentation from the Department of Corrections regarding the applicant's admission into and release from the custody of the Department of Corrections;*

(d) *Positive proof of identification, including two full sets of fingerprints administered by a law enforcement agency and a current form of photo identification, demonstrating that the applicant is the same person who was wrongfully incarcerated;*

(e) *Supporting documentation of any fine, penalty, or court costs imposed on and paid by the person as described in s. 961.06(1)(c);*

(f) *Supporting documentation of any reasonable attorney fees and expenses as described in s. 961.06(1)(d); and*

(g) *Any other documentation, evidence, or information required by rules adopted by the department.*

(4) *Upon receipt of an application, the department shall examine the application and notify the applicant within 30 calendar days of any errors or omissions and shall request, if applicable, any additional information relevant to the review of the application. The applicant has 30 days after proper notification of any errors or omissions to supplement the application. The department may not deny an application for failure of the applicant to correct an error or omission or to supply additional information unless the department timely notified the applicant of such errors or omissions or requested the additional information within the 30-day period specified in this subsection. The department shall process and review each completed application within 60 calendar days. The department shall notify the applicant within 5 business days of determining whether an application for compensation meets the requirements of this section.*

(5) *If the department determines that an applicant meets the requirements of this section, the person who is the subject of the application is entitled to compensation under s. 961.06.*

And the title is amended as follows:

Delete line 80 and insert: postconviction capital case proceedings; creating s. 961.055, F.S.; providing that a person wrongfully incarcerated and sentenced to death before a certain date is eligible for compensation under certain circumstances; creating s. 961.056, F.S.; specifying the application process for certain wrongfully incarcerated persons eligible for compensation; providing for

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Altman moved the following amendment which failed:

Amendment 6 (698950) (with title amendment)—Delete line 772 and insert: *Governor may issue a warrant for execution if the executive*

And the title is amended as follows:

Delete line 60 and insert: criteria; authorizing the Governor to issue a warrant

Pursuant to Rule 4.19, **CS for CS for HB 7083** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for SB 1302—A bill to be entitled An act relating to temporary certificates for visiting physicians; amending s. 458.3137, F.S.; providing that a physician who has been invited by certain medical or surgical training programs or educational symposiums may be issued a temporary certificate for limited privileges solely to provide educational training; modifying criteria; revising the requirements for proof of medical malpractice insurance; providing an effective date.

—was read the third time by title.

On motions by Senator Garcia, **CS for SB 1302** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Thrasher

SB 1852—A bill to be entitled An act relating to funding from the National Mortgage Settlement; providing an appropriation from the General Revenue Fund to the Florida Prepaid Tuition Scholarship Program to purchase 2-year dormitory residence advance payment contracts for certain students; providing an appropriation from the General Revenue Fund to the state courts system to provide technology solutions to expedite foreclosure cases through the judicial process; providing an appropriation from the General Revenue Fund to the state courts system to provide certain supplemental resources; providing an appropriation from the General Revenue Fund to the clerks of the court

to assist and support the courts in expediting the processing of backlogged foreclosure cases; providing an appropriation from the General Revenue Fund to the Office of the Attorney General to provide legal aid services to low- and moderate-income homeowners facing foreclosure; providing an appropriation from the General Revenue Fund to the Department of Children and Families to fund capital improvement grants for certified domestic violence centers; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity to provide a grant to Habitat for Humanity of Florida for certain purposes; providing requirements for Habitat for Humanity of Florida; providing financial audit reporting requirements; requiring certain funds to be repaid by Habitat for Humanity of Florida to the Department of Financial Services for deposit into the State Housing Trust Fund; providing an appropriation from the General Revenue Fund to the Florida Housing Finance Corporation to provide funding to reduce rents on new or existing rental units through the State Apartment Incentive Loan Program; providing an appropriation from the General Revenue Fund to the Department of Economic Opportunity for specified purposes; providing requirements for the expenditure, disbursement, and transfer to the State Housing Trust Fund of certain appropriated funds; providing a contingent effective date.

—as amended April 25 was read the third time by title.

On motions by Senator Gardiner, **SB 1852** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Votes recorded:

May 2, 2013: Yea to Nay—Gibson, Joyner

CS for CS for SB 1472—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; providing that the commission may not determine that a utility intends to complete construction of a power plant unless the utility proves its efforts by a preponderance of the evidence; providing that a utility that elects not to complete construction of a nuclear power plant may not recover or retain any rate of return for related costs; exempting certain actions taken before this act takes effect; providing an effective date.

—as amended April 25 was read the third time by title.

Senator Legg moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (664710) (with title amendment)—Delete lines 176-182 and insert: *such construction, the utility may not recover any further rate of return under this section. The utility must provide written notice of this election to the commission within 14 days after making the election. Failure by the utility to timely notify the commission is a violation of this section and punishable under s. 350.127. Any cost recovery*

after the date of the election not to complete construction of the plant may not include a rate of return.

And the title is amended as follows:

Delete lines 15 and 16 and insert: nuclear power plant may not recover any future rate of return for related costs; requiring a utility to provide notice of its election to the commission; providing for a penalty; exempting certain actions

On motions by Senator Legg, **CS for CS for SB 1472** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

SENATOR RICHTER PRESIDING

CS for SB 606—A bill to be entitled An act relating to the Northeast Florida Regional Transportation Commission; providing a directive to the Division of Law Revision and Information; creating s. 343.1001, F.S.; providing a short title; creating s. 343.1002, F.S.; providing definitions; creating s. 343.1003, F.S.; creating the Northeast Florida Regional Transportation Commission; providing for a nine-member commission board; providing for board appointment; providing for staffing; providing for member removal; providing liability protection for members; creating s. 343.1004, F.S.; providing commission powers and duties; prohibiting the commission from pledging the state’s credit; creating s. 343.1005, F.S.; providing for transportation projects of regional significance; specifying the characteristics for such projects; creating s. 343.1006, F.S.; requiring commission plans and planning activity to be coordinated with other specified entities; creating s. 343.1008, F.S.; authorizing other governmental units and the commission to contract with each other; creating s. 343.1009, F.S.; exempting the commission from taxes or assessments; creating s. 343.1010, F.S.; specifying that the powers of the commission are supplemental to other laws; creating s. 343.1011, F.S.; providing for public meetings and hearings; creating s. 343.1012, F.S.; specifying that the commission is not an authority for purposes of specified provisions relating to a discretionary tax; creating s. 343.1013, F.S.; providing for repeal; amending s. 120.52, F.S.; conforming provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for SB 606** was passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Diaz de la Portilla	Hukill
Altman	Evers	Joyner
Bean	Flores	Latvala
Benacquisto	Galvano	Lee
Bradley	Garcia	Legg
Brandes	Gardiner	Margolis
Braynon	Gibson	Montford
Dean	Grimsley	Negron
Detert	Hays	Richter

Ring	Simpson	Soto
Sachs	Smith	Stargel
Simmons	Sobel	Thompson

Nays—None

Vote after roll call:

Yea—Mr. President, Thrasher

CS for CS for CS for HB 333—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 327.02, F.S.; revising the definition of the term “navigation rules” for purposes of provisions relating to vessels; amending s. 328.72, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; amending s. 379.101, F.S.; revising the definition of the term “resident” or “resident of Florida” for purposes of provisions relating to recreational and nonrecreational activity licenses; providing for certain evidence of residence; revising the definition of the term “resident alien” to remove a county residency requirement; amending s. 379.353, F.S.; exempting specified persons participating in certain outdoor recreational events from requirements for hunting and fishing licenses and permits; amending s. 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; revising the number of days the commission may designate as free fishing days each year; amending s. 379.361, F.S.; revising requirements for a restricted species endorsement on a saltwater products license; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for CS for HB 333** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 347—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions with respect to the licensure and operation of distilleries; providing requirements for craft distilleries; providing for the sale of distilled spirits by licensed distilleries under certain conditions; providing reporting requirements; prohibiting the shipment of certain distilled spirits; prohibiting the transfer of a distillery license under certain conditions; prohibiting a craft distillery from having its ownership affiliated with another distillery under certain conditions; providing requirements relating to the payment of taxes; providing for applicability; providing rulemaking authority; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premise under certain conditions; amending ss. 561.14, 567.06, and 567.07, F.S.; conforming cross-references; providing legislative intent with respect to the severability or nonseverability of specified amendments made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for HB 347** was passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Galvano	Montford
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Mr. President, Detert

CS for CS for CS for HB 701—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; proving enforcement authority to the department; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285, F.S.; providing an effective date.

—was read the third time by title.

On motion by Senator Gardiner, **CS for CS for CS for HB 701** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for CS for HB 489—A bill to be entitled An act relating to railroad police officers; amending s. 354.01, F.S.; authorizing the temporary appointment of special officers who meet certain qualifications; requiring special officers employed by a railroad or other common carrier to have specified qualifications and meet specified continuing training or education requirements; providing that a Class I, Class II, or Class III railroad shall be considered an employing agency for specified purposes and shall pay costs associated with training and continuing education; amending s. 784.07, F.S.; defining the term “railroad special officer”;

providing for reclassification of certain offenses committed against a railroad special officer; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for CS for CS for HB 489** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 1372—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court may consider when ordering pretrial detention; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; providing an effective date.

—as amended April 25 was read the third time by title.

Pending further consideration of **CS for SB 1372** as amended, on motion by Senator Bradley, by two-thirds vote **HB 7035** was withdrawn from the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bradley, by two-thirds vote—

HB 7035—A bill to be entitled An act relating to pretrial detention; amending s. 907.041, F.S.; providing additional factors a court may consider when ordering pretrial detention; providing an effective date.

—a companion measure, was substituted for **CS for SB 1372** as amended and read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (938700) (with title amendment)—Before line 9 insert:

Section 1. Paragraph (m) is added to subsection (2) of section 903.046, Florida Statutes, to read:

903.046 Purpose of and criteria for bail determination.—

(2) When determining whether to release a defendant on bail or other conditions, and what that bail or those conditions may be, the court shall consider:

(m) *Whether the defendant, other than a defendant whose only criminal charge is a misdemeanor offense under chapter 316, is required to register as a sexual offender under s. 943.0435 or a sexual predator under s. 775.21; and, if so, he or she is not eligible for release on bail or surety bond until the first appearance on the case in order to ensure the full participation of the prosecutor and the protection of the public.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to pretrial detention; amending s. 903.046, F.S.; requiring a court considering whether to release a defendant on bail to determine whether the defendant is subject to registration as a sexual offender or sexual predator and, if so, to hold the defendant without bail until the first appearance on the case; providing an exception; amending s.

On motion by Senator Bradley, by two-thirds vote **HB 7035** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 1420—A bill to be entitled An act relating to mental health treatment; amending s. 916.107, F.S.; authorizing forensic and civil facilities to order the continuation of psychotherapeutics for individuals receiving such medications in the jail before admission; amending s. 916.13, F.S.; providing timeframes within which competency hearings must be held; amending s. 916.145, F.S.; revising the time for dismissal of certain charges for defendants that remain incompetent to proceed to trial; amending s. 916.15, F.S.; providing a timeframe within which commitment hearings must be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, diagnostic criteria, and information and findings that must be included in an expert’s competency evaluation report; providing an effective date.

—was read the third time by title.

On motions by Senator Sobel, **CS for SB 1420** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for HB 1147—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising a definition; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking renewal of certification or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for CS for HB 1147** was passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for CS for SB 1664** was deferred.

CS for CS for SB 1150—A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer’s intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; providing an exception; authorizing the Department of Financial to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Man-

agement Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term "performance measure"; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

—as amended April 25 was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 1150** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

HB 7143—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides an exemption from public record and public meeting requirements for information identifying certain donors to the direct-support organization for the Department of Veterans' Affairs; removing super-

fluous language; specifying that the public meeting exemption applies to those portions of meetings wherein the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **HB 7143** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for SB 490—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; requiring the landlord to follow specified procedures if the landlord receives partial rent after posting the 3-day notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

—as amended April 25 was read the third time by title.

Pending further consideration of **CS for CS for SB 490** as amended, on motion by Senator Stargel, by two-thirds vote **CS for HB 77** was withdrawn from the Committees on Judiciary; Regulated Industries; and Rules.

On motion by Senator Stargel by two-thirds vote—

Nays—10

CS for HB 77—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

Abruzzo	Joyner	Sobel
Braynon	Montford	Thompson
Clemens	Ring	
Gibson	Sachs	

Vote after roll call:

Yea—Mr. President

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **HB 7015** was ordered immediately certified to the House.

CS for HB 413—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing a physical therapist to implement physical therapy treatment plans of a specified duration which are developed by the physical therapist or provided by a practitioner of record or an advanced registered nurse practitioner; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for HB 413** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 634—A bill to be entitled An act relating to motor vehicles; amending s. 316.3045, F.S.; revising provisions relating to the operation of radios or other soundmaking devices in vehicles; deleting a standard for determining prohibited sound levels; deleting an exception for vehicles operated for business or political purposes; authorizing local authorities to regulate the place where such soundmaking devices may be operated; providing an effective date.

—was read the third time by title.

Senator Gibson moved the following amendment which was adopted by the required two-thirds vote:

Amendment 1 (869922)—Delete line 23 and insert:

(a) plainly audible at a distance of 100 ~~25~~ feet or more from

RECONSIDERATION OF AMENDMENT

On motion by Senator Richter, the Senate reconsidered the vote by which **Amendment 1** was adopted. **Amendment 1** failed to receive the required two-thirds vote. The vote was:

—a companion measure, was substituted for **CS for CS for SB 490** as amended and read the second time by title.

Senator Stargel moved the following amendment which was adopted:

Amendment 1 (109922) (with title amendment)—Delete line 376 and insert: *accepting partial rent for the period. If partial rent is accepted after posting the notice for nonpayment, the landlord must:*

1. *Provide the tenant with a receipt stating the date and amount received and the agreed upon date and balance of rent due before filing an action for possession;*
2. *Place the amount of partial rent accepted from the tenant in the registry of the court upon filing the action for possession; or*
3. *Post a new 3-day notice reflecting the new amount due.*

And the title is amended as follows:

Between lines 30 and 31 insert: requiring a landlord to follow specified procedures if the landlord accepts partial rent after posting the notice of nonpayment;

On motion by Senator Stargel, by two-thirds vote **CS for HB 77** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Altman	Flores	Legg
Bean	Galvano	Margolis
Benacquisto	Garcia	Richter
Bradley	Gardiner	Simmons
Brandes	Grimsley	Simpson
Dean	Hays	Smith
Detert	Hukill	Soto
Diaz de la Portilla	Latvala	Stargel
Evers	Lee	Thrasher

Yeas—20

Abruzzo	Gibson	Sachs
Brandes	Joyner	Smith
Braynon	Lee	Sobel
Clemens	Legg	Soto
Detert	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Ring	

Nays—17

Altman	Evers	Latvala
Bean	Flores	Richter
Benacquisto	Gardiner	Simmons
Bradley	Grimsley	Simpson
Dean	Hays	Stargel
Diaz de la Portilla	Hukill	

THE PRESIDENT PRESIDING

On motion by Senator Simpson, **CS for SB 634** failed to pass. The vote was:

Yeas—19

Mr. President	Evers	Montford
Altman	Galvano	Richter
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Stargel
Dean	Latvala	
Diaz de la Portilla	Lee	

Nays—19

Abruzzo	Gardiner	Smith
Brandes	Gibson	Sobel
Braynon	Joyner	Soto
Clemens	Legg	Thompson
Detert	Margolis	Thrasher
Flores	Ring	
Garcia	Sachs	

CS for HB 649—A bill to be entitled An act relating to public records; amending s. 119.0713, F.S.; providing an exemption from public records requirements for specified proprietary confidential business information held by an electric utility that is subject to chapter 119, F.S., in conjunction with a due diligence review of an electric project or a project to improve the delivery, cost, or diversification of fuel or renewable energy resources; providing for the retention of such information for a specified time; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for HB 649** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Detert	Hukill
Abruzzo	Diaz de la Portilla	Joyner
Altman	Evers	Latvala
Bean	Flores	Lee
Benacquisto	Galvano	Legg
Bradley	Garcia	Margolis
Brandes	Gardiner	Richter
Braynon	Gibson	Ring
Clemens	Grimsley	Sachs
Dean	Hays	Simmons

Simpson	Soto	Thrasher
Smith	Stargel	
Sobel	Thompson	

Nays—None

Vote after roll call:

Yea—Montford

CS for CS for HB 1223—A bill to be entitled An act relating to deceptive and unfair trade practices; reordering and amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military servicemember or the servicemember's spouse or dependent child in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 1223** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 655—A bill to be entitled An act relating to political subdivisions; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming provisions to constitutional requirements relating to the state minimum wage; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Simmons, **CS for HB 655** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Galvano	Margolis
Altman	Garcia	Montford
Bean	Gardiner	Richter
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Dean	Hukill	Sobel
Detert	Joyner	Stargel
Diaz de la Portilla	Latvala	Thrasher
Evers	Lee	
Flores	Legg	

Nays—7

Abruzzo	Clemens	Smith
Braynon	Ring	Soto

Thompson

Vote after roll call:

Yea to Nay—Diaz de la Portilla, Gibson, Joyner, Margolis, Montford, Sachs, Sobel

CS for SB 824—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term “forensic behavioral health evaluation”; providing a statement of public necessity, applicability, and construction; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, CS for SB 824 was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Name, Flores, Richter. Lists members: Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Clemens, Dean, Detert, Diaz de la Portilla, Evers.

Nays—None

CS for SB 834—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term “proprietary business information”; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Simmons, CS for SB 834 as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Name, Flores, Montford. Lists members: Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Clemens, Dean, Detert, Diaz de la Portilla, Evers.

Nays—None

SB 986—A bill to be entitled An act relating to requirements for driver licenses; amending s. 322.08, F.S.; including notice of the approval of an

application for Deferred Action for Childhood Arrivals status issued by the United States Citizenship and Immigration Services as valid proof of identity for purposes of applying for a driver license; reenacting ss. 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4), F.S., relating to conditions and limitations with respect to obtaining a duplicate or replacement instruction permit or driver license, expiration of and renewal of a driver license, and change of name or address on a driver license for licensees who establish their identity in a specified manner, to incorporate the amendments made by the act to s. 322.08, F.S., in references thereto; providing an effective date.

—was read the third time by title.

Pending further consideration of SB 986, on motion by Senator Soto, by two-thirds vote HB 235 was withdrawn from the Committees on Transportation; Judiciary; and Rules.

On motion by Senator Soto, by two-thirds vote—

HB 235—A bill to be entitled An act relating to requirements for driver licenses; amending s. 322.08, F.S.; including notice of the approval of an application for Deferred Action for Childhood Arrivals status issued by United States Citizenship and Immigration Services as valid proof of identity for purposes of applying for a driver license; reenacting ss. 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4), F.S., relating to conditions and limitations with respect to obtaining a duplicate or replacement instruction permit or driver license, expiration of and renewal of a driver license, and change of name or address on a driver license for licensees who establish their identity in a specified manner, to incorporate the amendments made by the act to s. 322.08, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for SB 986 and read the second time by title.

On motion by Senator Soto, by two-thirds vote HB 235 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Name, Evers, Montford. Lists members: Mr. President, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Clemens, Dean, Detert, Diaz de la Portilla.

Nays—None

CS for CS for SB 1016—A bill to be entitled An act relating to dentistry; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a

discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for SB 1016** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Diaz de la Portilla	Latvala
Abruzzo	Evers	Lee
Altman	Flores	Legg
Bean	Galvano	Montford
Benacquisto	Garcia	Ring
Bradley	Gardiner	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Clemens	Hays	Soto
Dean	Hukill	Stargel
Detert	Joyner	Thompson

Nays—None

Vote after roll call:

Yea—Richter, Sachs, Sobel, Thrasher

CS for CS for HB 833—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term “negative notice”; amending s. 727.104, F.S.; requiring an assignee’s bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee’s rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate’s rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the

court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee’s deed to be in a specific form; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 833** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Bradley

CS for CS for CS for SB 1122—A bill to be entitled An act relating to the Florida Fire Prevention Code; amending s. 633.0215, F.S.; requiring fire officials to enforce Florida Building Code provisions for occupancy separation for certain structures with certain occupancies; exempting certain farming and ranching structures from the code; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Simpson, **CS for CS for CS for SB 1122** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Bradley

CS for CS for HB 229—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of

ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for CS for HB 229** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Evers	Richter
Abruzzo	Flores	Ring
Altman	Galvano	Sachs
Bean	Garcia	Simmons
Benacquisto	Gibson	Smith
Bradley	Grimsley	Sobel
Brandes	Hays	Soto
Braynon	Hukill	Stargel
Clemens	Latvala	Thompson
Dean	Lee	Thrasher
Detert	Legg	
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Simpson

CS for CS for HB 691—A bill to be entitled An act relating to personal identification theft; creating s. 817.5685, F.S.; defining the term “personal identification information”; providing that it is unlawful for a person to intentionally or knowingly possess, without authorization, any personal identification information of another person; providing criminal penalties; providing that possession of identification information of multiple individuals gives rise to an inference of illegality; providing enhanced criminal penalties for possession of such information of multiple persons; providing exemptions; providing that the section does not preclude the prosecution for the unlawful possession of personal identification information of another person under any other law; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Joyner, **CS for CS for HB 691** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bradley	Detert
Abruzzo	Brandes	Diaz de la Portilla
Altman	Braynon	Evers
Bean	Clemens	Flores
Benacquisto	Dean	Galvano

Garcia	Lee	Simpson
Gardiner	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Richter	Stargel
Hukill	Ring	Thompson
Joyner	Sachs	Thrasher
Latvala	Simmons	

Nays—None

CS for CS for CS for SB 1594—A bill to be entitled An act relating to the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; amending s. 489.145, F.S.; revising the terms “agency,” “energy, water, and wastewater efficiency and conservation measure,” and “energy, water, or wastewater cost savings”; providing that a contract may provide for repayments to a lender of an installation construction loan in installments for a period not to exceed 20 years; requiring a contract to provide that repayments to a lender of an installation construction loan may be made over time, not to exceed 20 years from a certain date; requiring a contract to provide for a certain amount of repayment to the lender of the installation construction loan within 2 years of a specified date; authorizing certain facility alterations to be included in a performance contract and to be supervised by the performance savings contractor; limiting the time allotted to the Office of the Chief Financial Officer to review and approve an agency's guaranteed energy, water, and wastewater performance savings contract; requiring that a proposed contract include an investment-grade audit certified by the Department of Management Services which states that the cost savings are appropriate and sufficient for the term of the contract; clarifying that, for funding purposes of consolidated financing of deferred payment commodity contracts, an agency means a state agency; conforming language; providing an effective date.

—was read the third time by title.

On motions by Senator Bradley, **CS for CS for CS for SB 1594** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 903—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; amending s. 197.3335, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 903** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for CS for SB 556—A bill to be entitled An act relating to clerks of the court; amending s. 28.13, F.S.; providing requirements for the storage of papers and electronic filings and requiring that they be stamped with the date and time of submission; requiring the clerk to retain control and custody of filed documents; amending s. 28.222, F.S.; authorizing the clerk to remove certain court records from the Official Records; amending s. 28.24, F.S.; deleting provisions exempting specified persons from service fees; amending s. 28.244, F.S.; increasing the threshold amount for automatic repayment of overpayments; amending s. 28.345, F.S.; requiring that the clerk provide access to public records without charge to certain persons, subject to a limitation and an exception; authorizing the clerk to provide public records in an electronic format under certain circumstances; amending s. 101.151, F.S.; clarifying when the office title “Clerk of the Circuit Court and Comptroller” may be used; amending s. 119.0714, F.S.; requiring that certain requests for maintenance of a public record exemption specify certain information; amending s. 194.032, F.S.; requiring that the property appraiser, rather than the clerk, provide the property record card to a petitioner regardless of whether the petitioner initiates evidence exchange, unless the property record card is available online from the property appraiser; amending s. 938.30, F.S.; providing that the state is not required to pay fees to enforce judgment for costs and fines; amending s. 985.045, F.S.; providing that the office of the public defender shall have access to certain juvenile records before an appointment of representation; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for CS for CS for SB 556** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for HB 633—A bill to be entitled An act relating to biodiesel fuel; amending s. 206.02, F.S.; exempting municipalities, counties, and school districts that manufacture biodiesel fuel from certain reporting, bonding, and licensing requirements; amending s. 206.874, F.S.; requiring municipalities, counties, and school districts that manufacture biodiesel

fuel to file certain returns and remit certain taxes; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 633** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for HB 267—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 267** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 93—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Families and used by the State Office on Homelessness for certain purposes; providing exemption from certain application fee requirements; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restric-

tions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; transferring emergency assistance program funds to the homelessness prevention grant program; providing effective dates.

—was read the third time by title.

On motion by Senator Joyner, **CS for HB 93** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Montford	

Nays—None

CS for HB 611—A bill to be entitled An act relating to false reports to law enforcement officers; amending s. 837.05, F.S.; providing that it is a third degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a crime if the defendant has previously been convicted of this offense and the information, if communicated orally, is corroborated in a specified manner, or was communicated in writing; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for HB 611** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Benacquisto

HB 4013—A bill to be entitled An act relating to tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting caps on tax refunds for qualified defense contractors and space flight businesses and for qualified target industry businesses; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **HB 4013** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 851—A bill to be entitled An act relating to animal cruelty; amending s. 828.12, F.S.; specifying that a person who commits multiple acts of animal cruelty against one animal or acts of animal cruelty against multiple animals may be charged with a separate offense for each such act of animal cruelty; specifying that a person who owns or has custody or control of any animal and fails to act commits aggravated animal cruelty if certain injuries or death result; creating s. 828.1615, F.S.; prohibiting specific acts relating to dyeing or artificially coloring certain animals; prohibiting persons from selling, offering for sale, or giving away as merchandising premiums specified fowl or rabbits to be used as pets, toys, or retail premiums; providing exceptions; providing criminal penalties; amending s. 828.27, F.S.; providing for additional uses by certain counties of proceeds of surcharges on animal control or cruelty violations; providing for expiration; amending s. 895.02, F.S.; including illegal animal fighting or baiting as an offense within the definition of the term “racketeering activity” for purposes of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for HB 851** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Margolis
Abruzzo	Galvano	Montford
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	

Nays—None

Vote after roll call:

Yea—Evers, Richter, Thrasher

Consideration of **CS for CS for HB 617** was deferred.

HB 407—A bill to be entitled An act relating to criminal gang prevention; amending s. 810.0975, F.S.; providing enhanced criminal pe-

nalties for certain trespassing offenses in school safety zones by a person convicted of certain gang-related offenses; amending s. 874.05, F.S.; providing enhanced criminal penalties for a person who intentionally causes, encourages, solicits, or recruits another person under a specified age to become a criminal gang member in certain circumstances; amending s. 951.23, F.S.; authorizing county and municipal detention facilities to designate an individual to be responsible for assessing whether each inmate is a criminal gang member or associate; providing duties of such individuals; amending ss. 435.04 and 921.0022, F.S.; conforming cross-references and assigning offense severity rankings for violations of s. 874.05, F.S.; amending s. 921.0024, F.S.; revising the criteria for application of the sentencing multiplier for offenses related to criminal gangs; limiting application of the multiplier if application would result in the lowest permissible sentence exceeding the statutory maximum sentence; providing an effective date.

—was read the third time by title.

On motion by Senator Abruzzo, **HB 407** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Consideration of **CS for CS for HB 57** and **HB 913** was deferred.

CS for SB 938—A bill to be entitled An act relating to recreational vehicle parks; providing a short title; amending s. 513.01, F.S.; defining the term “occupancy”; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—as amended April 25 was read the third time by title.

Pending further consideration of **CS for SB 938** as amended, on motion by Senator Dean, by two-thirds vote **CS for HB 969** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Dean, by two-thirds vote—

CS for HB 969—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term “occupancy”; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 938** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Dean moved the following amendment which was adopted:

Amendment 1 (977230) (with title amendment)—Between lines 12 and 13 insert:

Section 1. This act may be cited as “The Jim Tillman Act.”

And the title is amended as follows:

Delete line 3 and insert: providing a short title; amending s. 513.01, F.S.; defining the term

On motion by Senator Dean, by two-thirds vote **CS for HB 969** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Evers

Consideration of **CS for SB 948** was deferred.

CS for CS for HB 7023—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; transferring, redesignating, and amending s. 525.09(1), F.S.; transferring collection of a motor fuel inspection fee from the Department of Agriculture and Consumer Services to the Department of Revenue; amending s. 493.6101, F.S.; revising the definition of the term “repossession”; amending s. 493.6113, F.S.; revising firearms recertification training requirements for specified licenses of the private security, private investigative, and repossession industries; amending s. 493.6116, F.S.; deleting a provision prohibiting specified licensees from sponsoring certain interns; requiring interns to perform regulated duties within the state; amending s. 493.6118, F.S.; providing additional grounds for disciplinary action against firearm licensees; amending s. 493.6120, F.S.; providing criminal penalties for a person who knowingly obtains a fraudulent document declaring a licensure applicant to have completed specified training; amending s. 496.405, F.S.; revising procedures and requirements with respect to the submission and processing of registration statements and renewal statements by charitable organizations and sponsors; amending s. 496.406, F.S.; exempting specified organizations and sponsors from filing a registration statement; requiring exempt organizations and sponsors to file specified documents; providing for applicability; amending s. 496.407, F.S.; revising financial reporting requirements; amending s. 496.409, F.S.; revising registration procedures and requirements for professional fundraising consultants; amending s. 496.410, F.S.; revising registration procedures and requirements for professional solicitors; amending s. 496.411, F.S.; revising the information required to be displayed on specified solicitation materials; amending s. 496.415, F.S.; revising a provision prohibiting specified persons from submitting false, misleading, or inaccurate information related to a solicitation or a charitable or sponsor sales promotion; amending s. 496.419, F.S.; revising the responsibility of the Department of Agriculture and Consumer Services to report specified criminal violations; authorizing the department to issue a cease and desist order for specified violations; amending s. 501.016, F.S.; revising the amount of a surety bond, letter of credit, or guaranty agreement furnished to the department by a health studio; amending s. 501.059, F.S.; prohibiting a telephone solicitor from calling certain consumers; amending s. 501.603, F.S.; conforming a cross-reference; revising definitions; amending s. 501.604, F.S.; revising exemptions from specified provisions of the

Florida Telemarketing Act; amending s. 501.607, F.S.; revising salesperson application requirements; amending s. 501.608, F.S.; requiring commercial telephone sellers seeking an affidavit of exemption to provide the department with certain information at the department's request; requiring licensees and exempt persons to display certain documentation; authorizing the department to issue a cease and desist order and to order a salesperson to leave an office if the salesperson is unable to properly display or produce a license or a receipt of filing of an affidavit of exemption; amending s. 501.611, F.S.; providing that a surety bond filed with the department by a commercial telephone seller remains in force for a specified period; amending s. 501.615, F.S.; revising the contract requirements and restrictions on telephonic sales by commercial telephone sellers; amending s. 501.617, F.S.; authorizing an enforcing authority to conduct regulatory inspections; amending s. 507.03, F.S.; requiring moving brokers to provide certain information at the request of the department; amending s. 507.07, F.S.; prohibiting movers and moving brokers from entering into certain service contracts with certain unregistered persons; amending s. 525.01, F.S.; revising the definition of the term "alternative fuel"; repealing s. 525.09(2)-(4), F.S., relating to the payment and applicability of an inspection fee for testing and analyzing petroleum fuels; amending s. 525.10, F.S.; deleting a provision requiring certain moneys to be paid into the State Treasury before being deposited into a specified trust fund; amending s. 525.16, F.S.; requiring entities that sell or distribute certain fuels to meet fuel standards adopted by the department; providing a release of liability for certain entities who supply and blend fuels that meet department standards; amending s. 526.141, F.S.; providing that certain entities are not liable for damages resulting from the use of incompatible motor fuels under certain circumstances; amending s. 527.01, F.S.; defining the term "license year" applicable to certain liquefied petroleum gas licenses; amending s. 527.0201, F.S.; revising examination requirements for applicants seeking certain licenses; revising continuing education requirements for specified qualifiers; amending s. 527.03, F.S.; revising the requirements and procedure for renewal of liquefied petroleum gas licenses; amending s. 531.415, F.S.; revising a provision exempting certain petroleum equipment from specified fees; amending s. 531.61, F.S.; revising a provision exempting certain devices from permitting requirements; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to permits for weights and measures instruments or devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extending the expiration date; amending s. 539.001, F.S.; revising fingerprinting requirements for a pawnbroker license application; amending s. 559.802, F.S.; requiring a specified notice to be filed on a form adopted by the department; amending s. 559.803, F.S.; revising the requirements of the mandatory written disclosure statement provided to purchasers of business opportunities; repealing s. 559.805, F.S., relating to mandatory filings and disclosure of advertisement identification numbers by sellers of business opportunities; amending s. 559.807, F.S.; deleting a provision providing for the use of certain securities requirements relating to selling business opportunities; amending s. 559.813, F.S.; deleting a provision authorizing the department to impose specified penalties for certain violations relating to selling business opportunities; deleting a provision authorizing the department to adopt rules; deleting a provision naming the department as an enforcing authority; amending s. 559.815, F.S.; conforming provisions to changes made by the act; amending s. 559.9221, F.S.; revising the membership of the Motor Vehicle Repair Advisory Council; amending s. 616.242, F.S.; revising amusement ride insurance coverage requirements; amending s. 721.20, F.S.; requiring specified persons who sell timeshare plans to be licensed as commercial telephone sellers or salespersons under ch. 501, F.S.; providing for severability; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for CS for HB 7023** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Braynon	Galvano
Abruzzo	Clemens	Garcia
Altman	Dean	Gardiner
Bean	Detert	Gibson
Benacquisto	Diaz de la Portilla	Grimsley
Bradley	Evers	Hays
Brandes	Flores	Hukill

Joyner	Richter	Sobel
Latvala	Ring	Soto
Lee	Sachs	Stargel
Legg	Simmons	Thompson
Margolis	Simpson	Thrasher
Montford	Smith	

Nays—None

CS for CS for SB 1094—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the submission of the report and imposition of the fine; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for SB 1094** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Brandes	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Bradley

HB 875—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing penalties for an unlicensed person who engages in an activity for which ch. 493, F.S., requires a license; providing an exception; providing penalties if a person commits a felony while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S.; creating s. 493.631, F.S.; defining terms; authorizing a licensed security officer or licensed security agency manager to detain a person on the premises of a critical infrastructure facility in certain circumstances; providing procedures and requirements with respect thereto; authorizing the security officer or security agency manager to search the person detained under certain circumstances; providing identification requirements for certain licensed security officers and security agency managers; providing immunity to law enforcement officers, licensed security officers, and licensed security agency managers under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **HB 875** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Brandes	Evers
Abruzzo	Braynon	Flores
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gardiner
Bradley	Diaz de la Portilla	Gibson

Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Richter	Soto
Joyner	Ring	Stargel
Latvala	Sachs	Thompson
Lee	Simmons	Thrasher
Legg	Simpson	

Nays—None

CS for CS for CS for HB 73—A bill to be entitled An act relating to residential properties; amending s. 399.02, F.S.; exempting certain elevators from specific code update requirements; amending s. 718.111, F.S.; revising requirements for an association's approval of land purchases and recreational leases; revising reconstruction costs for which unit owners are responsible and authorizing the costs to be collected in a specified manner; requiring an association to repair or replace as a common expense certain condominium property damaged by an insurable event; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a condominium association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; amending s. 718.112, F.S.; revising terms of members of an association's board of administrators and revising eligibility criteria for candidates; revising condominium unit owner meeting notice requirements; providing for nonapplicability to associations governing timeshare condominiums of certain provisions relating to elections of board members; revising recordkeeping requirements of a condominium association board; requiring commencement of challenges to an election within a specified period; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation from accepting recall petitions for filing under certain circumstances; amending s. 718.113, F.S.; providing requirements for a condominium association board relating to the installation of hurricane shutters, impact glass, code-compliant windows or doors, and other types of code-compliant hurricane protection under certain circumstances; amending s. 718.115, F.S.; conforming provisions to changes made by the act; amending s. 718.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent condominium unit owner or member; amending s. 718.403, F.S.; providing requirements for the completion of phase condominiums; creating s. 718.406, F.S.; providing definitions; providing requirements for condominiums created within condominium parcels; providing for the establishment of primary condominium and secondary condominium units; providing requirements for association declarations; authorizing a primary condominium association to provide insurance and adopt hurricane shutter or hurricane protection specifications under certain conditions; providing requirements relating to assessments; providing for resolution of conflicts between primary condominium declarations and secondary condominium declarations; providing requirements relating to common expenses due the primary condominium association; amending s. 718.5011, F.S.; revising the restriction on officers and full-time employees of the ombudsman from engaging in other businesses or professions; amending s. 719.104, F.S.; providing requirements for the maintenance of the official records of the association; authorizing records to be made available to unit owners in an electronic format; providing a civil penalty for the denial of a request to view records; requiring an association to allow a member or the member's authorized representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or authorized representative for using the portable device; authorizing a cooperative association to print and distribute a member directory under certain conditions; specifying additional records that are not accessible to unit owners; amending s. 719.1055, F.S.; revising provisions relating to the amendment of cooperative documents; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 719.106, F.S.; revising ap-

plicability of certain board of administration meeting requirements; requiring commencement of challenges to an election within a specified period; specifying certification or educational requirements for a newly elected or appointed cooperative board director; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; providing education requirements for board members; amending s. 719.303, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent cooperative unit owner or member; amending s. 719.501, F.S.; authorizing the division to provide training and educational programs for cooperative association board members and unit owners; amending s. 720.303, F.S.; requiring an association to allow a member or the member's representative to use certain portable devices to make electronic copies of association records; prohibiting the association from charging the member or representative for using the portable device; authorizing a homeowners' association to print and distribute a member directory under certain conditions; revising requirements for the preparation of an association's annual financial statement; revising the types of records that are not accessible to homeowners' association members and parcel owners; providing requirements for challenging the failure of a board to duly notice and hold the required board meeting or to file the required petition for a recall; providing requirements for recalled board members to challenge the recall; prohibiting the division from accepting recall petitions for filing under certain circumstances; amending s. 720.305, F.S.; revising provisions relating to imposing remedies against a noncompliant or delinquent homeowners' association member and parcel owner; amending s. 720.306, F.S.; revising provisions relating to the amendment of homeowners' association declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent or joinder to an amendment; requiring notice to mortgagees regarding proposed amendments; providing criteria for notification; providing for voiding certain amendments; revising provisions relating to right to speak at a homeowners' association meeting; requiring commencement of challenges to an election within a specified period; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for CS for CS for HB 73** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Consideration of **CS for HB 705** and **CS for CS for SB 770** was deferred.

CS for HB 795—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 795** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for HB 667—A bill to be entitled An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term “supervisory appraiser”; amending s. 475.612, F.S.; conforming a provision to changes made by the act; amending s. 475.615, F.S.; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for HB 667** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for HB 437—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; revising the definition of “qualifying housing development”; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; providing for retroactive application; amending s. 420.507, F.S.;

revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation’s strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation’s development of its long-range plan; revising the required contents and information to be included in the corporation’s annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the federal Homeownership and Opportunity for People Everywhere (HOPE) program; providing effective dates.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 437** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for SB 1036—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; providing that when the court obtains jurisdiction over a child who has been found to be dependent, the court retains jurisdiction until the child reaches 21 years of age; providing exceptions; amending s. 39.6013, F.S.; conforming a cross-reference; creating s. 39.6035, F.S.; requiring the Department of Children and Families, the community-based care provider, and others to assist a child in developing a transition plan after the child reaches 17 years of age and requiring a meeting to develop the plan; specifying requirements and procedures for the transition plan; requiring periodic review of the transition plan; requiring the court to approve the transition plan before the child leaves foster care and the court terminates jurisdiction; creating s. 39.6251, F.S.; providing definitions; providing that a young adult may remain in foster care under certain circumstances after attaining 18 years of age; specifying criteria for extended foster care; providing that the permanency goal for a young adult who chooses to remain in care is transition from care to independent living; specifying dates for eligibility for a young adult to remain in extended foster care; providing for supervised living arrangements in extended foster care; authorizing a young adult to return to foster care under certain circumstances; specifying services that must be provided to the young adult; directing the court to retain jurisdiction and hold review hearings; amending s. 39.701, F.S.; revising judicial review of foster care cases; making technical changes; providing criteria for review hearings for children younger than 18 years of age; providing criteria for review hearings for children 17 years of age; requiring the department to verify that the child has certain documents; requiring the department to update the case plan; providing for review hearings for young adults in foster care; amending s. 409.145, F.S.; requiring the department to develop and implement a system of care for children in foster care; specifying the goals of the foster care system; requiring the department to assist foster care caregivers to achieve quality parenting; specifying the roles and responsibilities of caregivers, the department, and others;

providing for transition from a caregiver; requiring information sharing; providing for the adoption and use of a “reasonable and prudent parent” standard; defining terms; providing for the application for the standard of care; providing for limiting liability of caregivers; specifying foster care room and board rates; authorizing community-based care service providers to pay a supplemental monthly room and board payment to foster parents for providing certain services; directing the department to adopt rules; deleting obsolete provisions; amending s. 409.1451, F.S.; providing for the Road-to-Independence program; providing legislative findings and intent; providing for postsecondary services and supports; specifying aftercare services; providing for appeals of a determination of eligibility; providing for portability of services across county lines and between lead agencies; providing for accountability; creating the Independent Living Services Advisory Council; providing for membership and specifying the duties and functions of the council; requiring reports and recommendations; directing the department to adopt rules; amending s. 409.175; allowing for young adults remaining in care to be considered in total number of children placed in a foster home; amending s. 409.903, F.S.; conforming a cross-reference; directing the Department of Children and Families to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist young adults who have been or remain in the foster care system; providing for an annual report; directing the Department of Children and Families in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative to develop design training for caregivers; providing effective dates.

—as amended April 25 was read the third time by title.

On motion by Senator Detert, further consideration of **CS for SB 1036** as amended was deferred.

CS for CS for CS for HB 1145—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring a state agency to submit a plan if a building or parcel is offered for use to the agency; requiring the board of trustees to adopt rules; amending s. 255.248, F.S.; defining the terms “managing agency” and “tenant broker”; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption that allows certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing effective dates.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for CS for HB 1145** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President Abruzzo Altman

Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Clemens	Hukill	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher
Galvano	Montford	

Nays—None

CS for HB 249—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Ring, further consideration of **CS for HB 249** was deferred.

CS for CS for HB 49—A bill to be entitled An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for CS for HB 49** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Galvano	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	
Flores	Richter	

Nays—2

Clemens Margolis

Vote after roll call:

Yea—Bradley, Garcia, Grimsley, Thrasher

The Senate resumed consideration of—

CS for HB 249—A bill to be entitled An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the e-mail addresses of voter registration applicants and voters; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—which was previously considered this day.

On motion by Senator Ring, **CS for HB 249** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Galvano	Montford
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—1

Bradley

CS for HB 705—A bill to be entitled An act relating to targeted economic development; amending s. 288.9625, F.S.; expanding the purpose of the Institute for the Commercialization of Public Research to include the commercialization of products developed by an innovation business; authorizing the institute to create corporate subsidiaries; providing conditions under which the institute may develop or accrue certain interests in companies or products; specifying conditions under which the institute may deliver and charge for services; expanding the institute’s reporting requirements to include information on assistance given to an innovation business; creating s. 288.96255, F.S.; requiring that the institute create the Florida Technology Seed Capital Fund; providing for the purpose of the fund; requiring professional managers to manage the fund; providing for an investor advisory board to advise and guide the managers and to make funding recommendations; providing for certain administrative costs of the fund; requiring the institute to administer the fund and providing criteria for its administration; providing for responsibilities of the institute; providing for an annual evaluation of the activities and results of funding; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for HB 705** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—1

Brandes

CS for HB 975—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; providing a definition for “water authority”; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited and subject to penalties; authorizing

the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for HB 975** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for HB 1173—A bill to be entitled An act relating to the Florida Communications Fraud Act; amending s. 817.034, F.S.; providing a limitations period for civil and criminal actions under that act; providing that in a criminal proceeding the period does not run during any time the defendant is absent from the state or without a reasonably ascertainable place of abode or work within the state; limiting the amount of such an exception; amending s. 921.0022, F.S.; reclassifying the offense of communications fraud with a value greater than \$50,000 on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 1173** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

CS for HB 585—A bill to be entitled An act relating to law enforcement; amending ss. 125.5801 and 166.0442, F.S.; revising provisions for criminal history record checks for certain county and municipal employees and appointees; amending s. 406.145, F.S.; deleting duties of law enforcement agencies and the department relating to unidentified person reporting forms; amending s. 538.26, F.S.; limiting the number of lead-acid batteries or parts thereof that a secondary metals recycler may purchase in certain transactions in a single day; amending s. 937.021, F.S.; revising provisions relating to missing child and adult reports; amending s. 937.024, F.S.; revising provisions relating to the birth records of missing children; amending s. 937.025, F.S.; revising provisions providing criminal penalties for persons who knowingly provide false information concerning a missing child; amending s. 937.028, F.S.; re-

vising provisions relating to fingerprints of missing persons; authorizing retention of such fingerprints entered into the statewide biometric identification system; amending s. 943.03, F.S.; revising terminology relating to documents and information systems; deleting an obsolete provision; amending s. 943.031, F.S.; correcting a reference; revising provisions relating to meetings of the Florida Violent Crime and Drug Control Council, the Drug Control Strategy and Criminal Gang Committee, and the Victim and Witness Protection Review Committee; making specified provisions subject to legislative funding; providing for return of unexpended funds by specified recipients; amending s. 943.0435, F.S.; specifying additional items to be reported by persons required to register as sexual offenders; amending s. 943.04351, F.S.; revising requirements for searches of registration information regarding sexual predators and sexual offenders; amending s. 943.0438, F.S.; deleting an obsolete provision; amending s. 943.045, F.S.; defining the term "biometric"; revising the definition of the term "criminal justice information"; amending s. 943.05, F.S.; revising duties of the Criminal Justice Information Program; redesignating the statewide automated fingerprint identification system as the statewide automated biometric identification system; amending s. 943.051, F.S.; requiring additional information to be collected from persons charged with or convicted of specified offenses and submitted electronically to the department; providing an exception to the fingerprinting of certain juveniles; amending s. 943.052, F.S.; revising terminology relating to disposition reporting; revising information to be submitted concerning persons received by or discharged from the state correctional system or certain juveniles committed to the Department of Juvenile Justice; amending s. 943.053, F.S.; revising a reference to rules governing criminal justice information received from the Federal Government or other states; conforming terminology; amending s. 943.054, F.S.; revising provisions relating to the availability of criminal history information derived from any United States Department of Justice criminal justice information system; amending s. 943.0542, F.S.; revising terminology relating to requests for screening; authorizing rulemaking relating to payments for screening; amending s. 943.0544, F.S.; revising terminology relating to the Criminal Justice Network; amending s. 943.055, F.S.; revising provisions relating to dissemination of criminal justice information derived from department information systems; providing for audits of noncriminal justice agencies when necessary to ensure compliance with requirements; amending s. 943.056, F.S.; providing for requests for corrections of federal criminal history record information in certain circumstances; amending s. 943.0582, F.S.; increasing the period in which a minor may seek expunction of a nonjudicial arrest record following completion of a diversion program; revising language relating to a statement to the department by a state attorney concerning such an expunction request; deleting an obsolete provision; amending ss. 943.0585 and 943.059, F.S.; revising language relating to expunctions and sealing precluded by prior criminal history sealings or expunctions; authorizing persons seeking authorization for employment with or access to certain seaports to deny or fail to acknowledge certain expunged or sealed records; amending s. 943.125, F.S.; providing for accreditation of correctional facilities, public agency offices of inspectors general, and certain pretrial diversion programs; authorizing funding and support of additional accreditation programs; amending s. 943.13, F.S.; deleting a provision authorizing temporary employment of a person seeking employment as a law enforcement or correctional officer if there is an administrative delay in fingerprint processing; deleting obsolete language; amending s. 943.132, F.S.; revising references to federal qualified active or qualified retired law enforcement concealed firearms provisions; deleting a requirement that the Criminal Justice Standards and Training Commission develop a uniform firearms proficiency verification card; amending s. 943.1395, F.S.; revising language relating to investigations on behalf of the Criminal Justice Standards and Training Commission; amending s. 943.1755, F.S.; providing that the department maintains responsibility for delivering and facilitating all Florida Criminal Justice Executive Institute training; revising membership of the institute's policy board; amending s. 943.1757, F.S.; deleting a requirement for a periodic report by the Criminal Justice Executive Institute concerning executive training needs; amending s. 943.25, F.S.; authorizing, rather than requiring, the Criminal Justice Standards and Training Commission to forward to each regional training council a list of its specific recommended priority issues or items to be funded; authorizing the commission to use computer-based testing as an assessment instrument; amending s. 943.325, F.S.; conforming a cross-reference; amending s. 943.33, F.S.; revising provisions relating to the availability to defendants of state-operated criminal analysis laboratories; specifying that defense experts and others are not authorized to be present in such laboratories or use labora-

tory equipment; revising provisions relating to costs of laboratory testing performed for defendants; amending s. 943.68, F.S.; revising the due date of a report detailing transportation and protective services provided by the department; amending ss. 285.18, 414.40, 447.045, 455.213, 468.453, 475.615, 493.6105, 493.6108, 494.00312, 494.00321, 494.00611, 517.12, 538.09, 538.25, 548.024, 550.105, 550.908, 551.107, 560.141, 628.906, 633.34, 744.3135, 775.21, 775.261, 790.06, 944.607, 944.608, 985.11, 985.644, 985.4815, 1002.395, 1002.421, 1012.32, and 1012.467, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for HB 585** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Brandes

CS for CS for HB 1093—A bill to be entitled An act relating to volunteer health services; amending ss. 458.317 and 459.0075, F.S.; revising criteria required for limited licensure for physicians; amending s. 766.1115, F.S.; revising requirements for patient referral under the "Access to Health Care Act"; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that rules adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for HB 1093** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

CS for CS for SB 1718—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county defined in s. 125.011(1), F.S., to levy a surtax up to a specified amount for the benefit of a Florida College System institution and a state university in the county pursuant to an ordinance conditioned to take effect upon approval in a county referendum; requiring the ordinance to include a plan for the use of the proceeds; providing referendum requirements and procedures; requiring that the proceeds from the surtax be transferred into a specified account and managed in a specified manner; establishing an oversight board with specified duties, responsibilities, and requirements relating to the expenditure of surtax proceeds; providing for the appointment of members of the oversight board; requiring that the board of trustees of each institution receiving surtax proceeds prepare an annual plan for submission to the oversight board for approval; providing that state funding may not be reduced because an institution receives surtax funds; providing for the scheduled expiration of the surtax; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Flores, CS for CS for SB 1718 as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	
Flores	Montford	

Nays—1

Brandes

CS for SB 1828—A bill to be entitled An act relating to tax administration; amending s. 125.0104, F.S.; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of “phosphate-related expenses” for the purpose of distributing certain tax proceeds; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.0305, F.S.; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer’s willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term “person”; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the

executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zapper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 288.106, F.S.; revising the criteria applicable to the definition of the term “target industry business” to specifically reference sports training or competition for the amateur athlete; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—as amended April 25 was read the third time by title.

Senator Hukill moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (331130)—Delete line 118 and insert: collection and administration of the tax. *If authorized by ordinance, the county may require*

Amendment 2 (326272)—Delete line 191 and insert: administration of the tax on a local basis. *If authorized by ordinance, the county may*

On motion by Senator Hukill, CS for SB 1828 as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Abruzzo	Galvano	Montford
Altman	Garcia	Richter
Bean	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Clemens	Hukill	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto, Stargel

CS for CS for SB 442—A bill to be entitled An act relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment and terms of commission members; providing for the reimbursement of per diem and travel expenses for commission members; authorizing the commission to establish or designate a direct-support organization for specified purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Thompson, CS for CS for SB 442 was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bradley	Detert
Abruzzo	Brandes	Diaz de la Portilla
Altman	Braynon	Evers
Bean	Clemens	Flores
Benacquisto	Dean	Galvano

Garcia	Lee	Simpson
Gardiner	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Richter	Stargel
Hukill	Ring	Thompson
Joyner	Sachs	Thrasher
Latvala	Simmons	

Nays—None

MOTION TO RECONSIDER BILL

Senator Latvala moved that the Senate reconsider the vote by which **CS for HB 655** as amended April 25 passed this day. The motion was adopted by two-thirds vote.

RECONSIDERATION OF BILL

On motion by Senator Simmons, the Senate reconsidered the vote by which—

CS for HB 655—A bill to be entitled An act relating to political subdivisions; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming provisions to constitutional requirements relating to the state minimum wage; providing an effective date.

—as amended April 25 passed this day.

On motion by Senator Simmons, **CS for HB 655** as amended was passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Evers	Lee
Altman	Flores	Legg
Bean	Galvano	Richter
Benacquisto	Garcia	Simmons
Bradley	Gardiner	Simpson
Brandes	Grimsley	Stargel
Dean	Hays	Thrasher
Detert	Hukill	
Diaz de la Portilla	Latvala	

Nays—13

Abruzzo	Margolis	Sobel
Braynon	Montford	Soto
Clemens	Ring	Thompson
Gibson	Sachs	
Joyner	Smith	

CS for SB 948—A bill to be entitled An act relating to water supply; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs require the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; providing that the governing board of a water management district shall assist self-suppliers, among others, in meeting water supply demands in a manner that will give priority to encouraging conservation and reducing adverse environmental effects; providing that the governing board of a water management district may contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; providing that certain planning by the governing board of a water management district must be conducted in coordination and cooperation with the Department of Agriculture and Consumer Services, among other interested parties; requiring that certain agricultural demand projections be based upon the best available data and providing

considerations to determine the best available data; requiring certain information if there is a deviation from the data provided by the Department of Agriculture and Consumer Services; authorizing certain users to propose specific projects for inclusion in the list of water supply development project options; removing references to alternative water supply projects; requiring water management districts to assist in developing multijurisdictional approaches to water supply project development jointly with affected self-suppliers in certain areas; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program that includes certain data; providing criteria for development of data; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for SB 948** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

SENATOR THRASHER PRESIDING

The Senate resumed consideration of—

CS for SB 1036—A bill to be entitled An act relating to independent living; amending s. 39.013, F.S.; providing that when the court obtains jurisdiction over a child who has been found to be dependent, the court retains jurisdiction until the child reaches 21 years of age; providing exceptions; amending s. 39.6013, F.S.; conforming a cross-reference; creating s. 39.6035, F.S.; requiring the Department of Children and Families, the community-based care provider, and others to assist a child in developing a transition plan after the child reaches 17 years of age and requiring a meeting to develop the plan; specifying requirements and procedures for the transition plan; requiring periodic review of the transition plan; requiring the court to approve the transition plan before the child leaves foster care and the court terminates jurisdiction; creating s. 39.6251, F.S.; providing definitions; providing that a young adult may remain in foster care under certain circumstances after attaining 18 years of age; specifying criteria for extended foster care; providing that the permanency goal for a young adult who chooses to remain in care is transition from care to independent living; specifying dates for eligibility for a young adult to remain in extended foster care; providing for supervised living arrangements in extended foster care; authorizing a young adult to return to foster care under certain circumstances; specifying services that must be provided to the young adult; directing the court to retain jurisdiction and hold review hearings; amending s. 39.701, F.S.; revising judicial review of foster care cases; making technical changes; providing criteria for review hearings for children younger than 18 years of age; providing criteria for review hearings for children 17 years of age; requiring the department to verify that the child has certain documents; requiring the department to update the case plan; providing for review hearings for young adults in foster care; amending s. 409.145, F.S.; requiring the department to develop and implement a system of care for children in foster care; specifying the goals of the foster care system; requiring the department to assist foster care caregivers to achieve quality parenting; specifying the roles and responsibilities of caregivers, the department, and others; providing for transition from a caregiver; requiring information sharing;

providing for the adoption and use of a "reasonable and prudent parent" standard; defining terms; providing for the application for the standard of care; providing for limiting liability of caregivers; specifying foster care room and board rates; authorizing community-based care service providers to pay a supplemental monthly room and board payment to foster parents for providing certain services; directing the department to adopt rules; deleting obsolete provisions; amending s. 409.1451, F.S.; providing for the Road-to-Independence program; providing legislative findings and intent; providing for postsecondary services and supports; specifying aftercare services; providing for appeals of a determination of eligibility; providing for portability of services across county lines and between lead agencies; providing for accountability; creating the Independent Living Services Advisory Council; providing for membership and specifying the duties and functions of the council; requiring reports and recommendations; directing the department to adopt rules; amending s. 409.175; allowing for young adults remaining in care to be considered in total number of children placed in a foster home; amending s. 409.903, F.S.; conforming a cross-reference; directing the Department of Children and Families to work in collaboration with the Board of Governors, the Florida College System, and the Department of Education to help address the need for a comprehensive support structure in the academic arena to assist young adults who have been or remain in the foster care system; providing for an annual report; directing the Department of Children and Families in collaboration with the Florida Foster and Adoptive Parent Association and the Quality Parenting Initiative to develop design training for caregivers; providing effective dates.

—which was previously considered this day.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gaetz moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (819356) (with title amendment)—Between lines 87 and 88 insert:

Section 1. *This act may be cited as the "Nancy C. Detert Common Sense and Compassion Independent Living Act."*

And the title is amended as follows:

Delete line 2 and insert: An act relating to independent living; providing a short title; amending s.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **Amendment 1 (819356)**.

The vote was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

On motion by Senator Detert, **CS for SB 1036** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

THE PRESIDENT PRESIDING

HB 913—A bill to be entitled An act relating to the Holocaust Victims Assistance Act; amending s. 626.9543, F.S.; revising the short title; broadening the act to include financial claims and assets and other property, and to address the effect of nonpayment of claims or nonreturn of property on victims; deleting a time limitation on insurers for providing certain information to the Department of Financial Services and requiring insurers to provide a report under certain circumstances; revising the content and timing of the annual report to the Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **HB 913** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Jeff Atwater, Chief Financial Officer, who was present in the chamber.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senators Gardiner and Thrasher, by unanimous consent—

CS for SB 1108—A bill to be entitled An act relating to exceptional student education; amending s. 1002.20, F.S.; prohibiting certain actions with respect to parent meetings with school district personnel; providing requirements for meetings relating to exceptional student education and related services; amending s. 1002.33, F.S.; providing requirements for

the reimbursement of federal funds to charter schools; amending s. 1002.41, F.S.; requiring a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; amending s. 1003.57, F.S.; requiring a school district to use specified terms to describe the instructional setting for certain exceptional students; defining the term “inclusion” for purposes of exceptional student instruction; providing for determination of eligibility as an exceptional student; requiring certain assessments to facilitate inclusive educational practices for exceptional students; requiring a district school board to provide parents with information regarding the funding the school district receives for exceptional student education; requiring the school district to provide the information at the initial meeting of a student’s individual education plan team; creating s. 1003.5715, F.S.; requiring the use of parental consent forms for specified actions in a student’s individual education plan; providing requirements for the consent forms; providing requirements for changes in a student’s individual education plan; requiring the State Board of Education to adopt rules; creating s. 1003.572, F.S.; defining the term “private instructional personnel”; encouraging the collaboration of public and private instructional personnel and providing requirements therefor; amending s. 1003.58, F.S.; conforming a cross-reference; creating s. 1008.3415, F.S.; requiring an exceptional student education center to choose to receive a school grade or school improvement rating; excluding student assessment data from the calculation of a home school’s grade under certain circumstances; requiring the State Board of Education to adopt rules; amending s. 1012.585, F.S.; providing requirements for renewal of a professional certificate relating to teaching students with disabilities; authorizing the State Board of Education to adopt rules; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Gardiner moved the following amendment:

Amendment 1 (573240) (with title amendment)—Between lines 430 and 431 insert:

Section 8. Section 1008.212, Florida Statutes, is created to read:

1008.212 *Students with disabilities; extraordinary exemption.*—

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

(a) “*Circumstance*” means a situation in which accommodations allowable for use on the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(c)13. are not offered to a student during the current year’s assessment administration due to technological limitations in the testing administration program which lead to results that reflect the student’s impaired sensory, manual, or speaking skills rather than the student’s achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.

(b) “*Condition*” means an impairment, whether recently acquired or longstanding, which affects a student’s ability to communicate in modes deemed acceptable for statewide assessments, even if appropriate accommodations are provided, and creates a situation in which the results of administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment would reflect the student’s impaired sensory, manual, or speaking skills rather than the student’s achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(c)13. shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

(3) *The IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption at any time during the school year, but not later than 60 days before the current year’s assessment administration for which the request is made. A request must include all of the following:*

(a) *A written description of the student’s disabilities, including a specific description of the student’s impaired sensory, manual, or speaking skills.*

(b) *Written documentation of the most recent evaluation data.*

(c) *Written documentation, if available, of the most recent administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.*

(d) *A written description of the condition’s effect on the student’s participation in the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.*

(e) *Written evidence that the student has had the opportunity to learn the skills being tested.*

(f) *Written evidence that the student has been provided appropriate instructional accommodations.*

(g) *Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student’s IEP which are allowable in the administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.*

(h) *Written evidence of the circumstance or condition as defined in subsection (1).*

(4) *Based upon the documentation provided by the IEP team, the school district superintendent shall recommend to the Commissioner of Education whether an extraordinary exemption for a given assessment administration window should be granted or denied. A copy of the school district’s procedural safeguards as required in rule 6A-6.03311, Florida Administrative Code, shall be provided to the parent. If the parent disagrees with the IEP team’s recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent. Upon receipt of the request, documentation, and recommendation, the commissioner shall verify the information documented, make a determination, and notify the parent and the district school superintendent in writing within 30 days after the receipt of the request whether the exemption has been granted or denied. If the commissioner grants the exemption, the student’s progress must be assessed in accordance with the goals established in the student’s individual education plan. If the commissioner denies the exemption, the notification must state the reasons for the denial.*

(5) *The parent of a student with a disability who disagrees with the commissioner’s denial of an extraordinary exemption may request an expedited hearing. If the parent requests the expedited hearing, the Department of Education shall inform the parent of any free or low-cost legal services and other relevant services available in the area. The Department of Education shall arrange a hearing with the Division of Administrative Hearings, which must be commenced within 20 school days after the parent’s request for the expedited hearing. The administrative law judge at the division shall make a determination within 10 school days after the expedited hearing. The standard of review for the expedited hearing is de novo, and the department has the burden of proof.*

(6) *Beginning June 30, 2014, and each June 30 thereafter, the commissioner shall annually submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives the number of extraordinary exemptions requested under this section, the number of extraordinary exemptions granted under this section, and the criteria by which all decisions were made. The commissioner shall regularly inform district testing and special education administrators of the procedures established in this section.*

(7) *The State Board of Education shall adopt rules to administer this section.*

And the title is amended as follows:

Delete line 38 and insert: conforming a cross-reference; creating s. 1008.212, F.S.; providing definitions; providing that a student with a disability be granted an extraordinary exemption from the administration of certain assessments under certain circumstances; providing that certain disabilities or the receipt of services through a homebound or hospitalized program is not an adequate criterion for the granting of an extraordinary exemption; authorizing a written request for an extraordinary exemption; providing requirements for the request; providing a procedure for granting or denying an extraordinary exemption; providing a procedure for appealing a denial of an extraordinary exemption; requiring the Commissioner of Education to annually submit by a specified date to the Governor and the Legislature a report and regularly inform district testing and special education administrators of the procedures regarding extraordinary exemptions; requiring the State Board of Education to adopt rules; creating s. 1008.3415,

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gardiner moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (123890)—Delete lines 13-38 and insert: *or an alternate assessment pursuant to s. 1008.22(3)(c) are not offered to a student during the current year's assessment administration due to technological limitations in the testing administration program which lead to results that reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.*

(b) *“Condition” means an impairment, whether recently acquired or longstanding, which affects a student's ability to communicate in modes deemed acceptable for statewide assessments, even if appropriate accommodations are provided, and creates a situation in which the results of administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment would reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment.*

(2) *A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(c) shall be granted an extraordinary exemption*

Amendment 1 (573240) as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1108** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 1046—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; postponing the date that repeals the Florida Hurricane Catastrophe Fund emergency assessment exemption for medical malpractice insurance premiums; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term “authorized inspection agency”; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services;

amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring each insurance agency to be under the control of an agent licensed to transact certain lines of insurance; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing a definition for the term “agent in charge”; providing that the designated agent in charge is liable for certain acts of misconduct; providing grounds for the Department of Financial Services to order operations to cease at certain insurance agency locations until an agent in charge is properly designated; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer's designee; providing that administrator withdrawals from a fiduciary account be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending s. 626.935, F.S.; conforming provisions to changes made by the act; amending s. 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; providing legislative intent; establishing a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the corporation to offer specified deductible amounts for sinkhole loss coverage; amending s. 627.3519, F.S.; requiring the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation to provide an annual report to the Legislature and the Financial Services Commission of their respective aggregate net probable maximum losses,

financing options, and potential assessments; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to the insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Department of Financial Services; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to the certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a fee for payments returned due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1046**, on motion by Senator Brandes, by two-thirds vote **CS for CS for HB 635** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Brandes—

CS for CS for HB 635—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising the date of the future repeal

of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for misconduct and violations committed by the licensee and any person under his or her supervision; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer's designee; requiring administrator withdrawals from a fiduciary account to be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending ss. 626.935 and 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology

with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; requiring the corporation to establish a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the offering by the corporation of specified deductible amounts for sinkhole loss coverage; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.782, F.S.; revising the date by which title insurance agencies and certain insurers must annually submit specified information to the Office of Insurance Regulation; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a charge for payments returned, declined, or unable to be processed due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing

insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1046** and read the second time by title.

Senator Brandes moved the following amendment which was adopted:

Amendment 1 (799638)—Delete line 1397 and insert: *such dispute shall be adjudication of the dispute to determine the necessary stabilization repairs.*

Senators Negron and Joyner offered the following amendment which was moved by Senator Negron and adopted:

Amendment 2 (172996)—Delete line 1470 and insert: *class of insureds. An insurer that uses a credit report, public record, or other public information to determine whether there is a misstatement or omission in the application for insurance related to the insured's credit history must make such determination within 90 days after the effective date of the policy. After such 90 day period, an insurer may not cancel or rescind the policy or deny coverage for a claim based on a misstatement or omission in the application regarding the insured's credit history which the insurer could have reasonably discovered by a review of the insured's credit report, public records, or other public information. This subparagraph does not apply to*

Senator Brandes moved the following amendments which were adopted:

Amendment 3 (221202) (with title amendment)—Between lines 2123 and 2124 insert:

Section 53. *The rules adopted by the Financial Services Commission to establish the format for the notice of the estimated premium impact of the federal Patient Protection and Affordable Care Act pursuant to s. 627.410, Florida Statutes, as amended by Senate Bill 1842 or House Bill 7155, or similar legislation adopted in the same legislative session or an extension thereof, are not subject to s. 120.541(3).*

And the title is amended as follows:

Delete line 231 and insert: *associations; providing that certain rules relating to the implementation of the Patient Protection and Affordable Care Act are exempted from certain requirements of ch. 120, F.S.; providing effective dates.*

The vote was:

Yeas—21

Mr. President	Detert	Legg
Altman	Evers	Margolis
Bean	Galvano	Richter
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Stargel
Dean	Lee	Thrasher

Nays—16

Abruzzo	Gibson	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Diaz de la Portilla	Montford	Thompson
Flores	Ring	
Garcia	Sachs	

Amendment 4 (901364) (with title amendment)—Between lines 2123 and 2124 insert:

Section 53. Subsection (6) of section 1012.21, Florida Statutes, is amended to read:

1012.21 Department of Education duties; K-12 personnel.—

(6) REPORTING.—The Department of Education shall annually post online links to each school district's collective bargaining contracts and the salary and benefits of the personnel or officers of any educator association which were paid by the school district pursuant to s. 1012.22. *The department shall also annually post on the department's website the limitations on liabilities provided by general law to instructional personnel, suggestions for pertinent criteria for determining the appropriate level of additional liability insurance, if any, and options for procuring such insurance.*

And the title is amended as follows:

Delete line 231 and insert: associations; amending s. 1012.21, F.S.; requiring the Department of Education to annually post on the department's website certain limitations on liabilities and information about liability insurance; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 635** as amended was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for SB 964—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that a parent's rights may be terminated if the court determines, by clear and convincing evidence, that the child was conceived during an act of unlawful sexual battery; creating a presumption that termination of parental rights is in the best interest of the child if the child was conceived as a result of an unlawful sexual battery; requiring the court to accept a guilty plea or conviction as conclusive proof that the child was conceived by a violation of criminal law; providing that a petition to terminate parental rights may be filed at any time; amending s. 39.811, F.S.; providing for termination of parental rights of only one parent if conception was the result of an unlawful sexual battery; providing for retroactive application; providing an effective date.

—as amended April 24 was read the third time by title.

On motions by Senator Abruzzo, **CS for SB 964** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

CS for CS for CS for SB 1734—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception, providing for future legislative review and repeal of the ex-

emption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for CS for SB 1734**, on motion by Senator Flores, by two-thirds vote **CS for HB 1327** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

On motion by Senator Flores, by two-thirds vote—

CS for HB 1327—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1734** and by two-thirds vote read the second time by title.

On motion by Senator Flores, by two-thirds vote **CS for HB 1327** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Bradley

MOTIONS

On motion by Senator Thrasher, by two-thirds vote **CS for SB 1420**, **CS for SB 1302**, **CS for CS for CS for SB 1594**, **SB 1852**, **CS for CS for SB 1472**, and **CS for SB 964** were ordered immediately certified to the House.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day, except **CS for SB 1468**, were placed on the Special Order Calendar for Monday, April 29.

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills or 5:00 p.m., whichever time is later, was set for filing amendments to Bills on Third Reading for Monday, April 29.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bill to be placed on the Special Order Calendar for Friday, April 26, 2013: **CS for SB 1108**.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 463, CS for HB 969, CS for HB 1021, HB 1081, CS for CS for HB 1325; has passed as amended CS for CS for HB 1091, CS for HB 1161, CS for CS for HB 7083, CS for HB 7169; has passed by the required constitutional two-thirds vote of the members voting CS for HB 1327 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Health & Human Services Committee and Representative(s) Rodriguez, J., Artilles, Campbell, Pritchett—

CS for HB 463—A bill to be entitled An act relating to examination of dentists; amending s. 466.006, F.S.; revising the eligibility requirements for taking examinations required to practice dentistry; authorizing applicants enrolled in a recognized dental specialty program on a specified date to take the examinations if specified conditions are met; providing for future expiration of such authorization; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Health Quality Subcommittee and Representative(s) Raburn, Artilles, Patronis—

CS for HB 969—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term "occupancy"; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Judiciary Committee, Health Innovation Subcommittee and Representative(s) Reed—

CS for CS for HB 1021—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; allowing the Department of Highway Safety and Motor Vehicles to share driver license photographs with the Agency for Health Care Administration pursuant to an interagency agreement; amending s. 408.809, F.S.; adding additional disqualifying offenses to background screening provisions; amending s. 435.04, F.S.; revising information to be submitted for a background screening; adding additional disqualifying offenses; amending s. 435.07, F.S.; revising terminology; requiring that individuals seeking an exemption from disqualification must have completed all nonmonetary conditions imposed by the court for the disqualifying felony; requiring that all persons seeking an exemption from disqualification have paid any court-ordered monetary penalty in full before being eligible to apply; amending s. 435.12, F.S.; requiring that a photograph of the person taken at the time the fingerprints are processed be submitted to the Care Provider Background Screening Clearinghouse before submission of the electronic fingerprints; requiring specified information to be included with the initiation of the screening registration within the clearinghouse; providing an effective date.

—was referred to the Committees on Health Policy; Transportation; and Criminal Justice.

By Representative(s) Williams, A.—

HB 1081—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing a county school board to use the school surtax to purchase school buses; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Spano, Albritton, Artilles, Harrell, Hutson, Kerner, McGhee, Moskowitz, Nuñez, Pilon—

CS for CS for HB 1325—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing exceptions; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing for applicability; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

By Regulatory Affairs Committee, Insurance & Banking Subcommittee and Representative(s) Mayfield—

CS for CS for HB 1091—A bill to be entitled An act relating to banking; amending s. 655.005, F.S.; revising a definition; amending s. 655.85, F.S.; clarifying that an institution may impose a fee for the settlement of a check under certain circumstances; providing legislative intent; creating s. 655.955, F.S.; providing that a financial institution is not civilly liable solely for extending a loan or line of credit; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Rules.

By Health Quality Subcommittee and Representative(s) Baxley, Campbell, Edwards—

CS for HB 1161—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; amending s. 491.004, F.S.; deleting an obsolete provision; conforming provisions; amending s. 491.0045, F.S.; requiring registered interns to remain under supervision while maintaining registered intern status; providing for noncompliance; providing for the expiration of intern registrations; prohibiting specified persons from applying for an intern registration; amending s. 491.0046, F.S.; correcting cross-references; prohibiting specified persons from applying for a provisional license; amending s. 491.005, F.S.; revising the requirements for a clinical social worker license, a marriage and family therapist license, and a mental health counselor license; deleting a provision requiring certain registered interns to be certified as having met specified licensure requirements; amending s. 491.0057, F.S.; providing for future repeal of provisions providing for dual licensure as a marriage and family therapist; amending s. 491.006, F.S.; revising requirements of licensure or certification by endorsement; amending s. 491.007, F.S.; deleting a provision providing certified master social workers a limited exemption from continuing education requirements; deleting a provision requiring the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling to establish a procedure for the biennial renewal of intern registrations; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Children, Families, and Elder Affairs; and Appropriations.

By Judiciary Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee and Representative(s) Gaetz, Grant, Hager, Harrell, Hood, Kerner, McBurney, Metz, Passidomo, Pilon, Tobia

CS for CS for HB 7083—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.701(2), F.S.; repealing a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S.; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking an action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.704, F.S.; requiring attorneys who contract with the capital collateral regional counsel to meet certain criteria; creating s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for 5 years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager; requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.095, F.S.; requiring persons convicted and sentenced to death to pursue all possible collateral remedies in state court in accordance with the Florida Rules of Criminal Procedure rather than in accordance with statute; amending s. 922.052, F.S.; requiring the sheriff to send the record of a person's conviction and death sentence to the clerk of the Florida Supreme Court; requiring the clerk of the Florida Supreme Court to inform the Governor in writing certifying that a person convicted and sentenced to death meets certain criteria; requiring the Governor to issue a warrant within 30 days of receiving the clerk's letter of certification in all cases where the executive clemency process has concluded directing the warden to execute the sentence within 180 days; authorizing the Governor to sign a warrant of execution if the clerk of the Florida Supreme Court does not comply; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; providing legislative intent regarding postconviction proceedings in capital cases; repealing ss. 924.058, 924.059, and 924.395, F.S., relating to postconviction capital case proceedings; providing severability; providing an appropriation; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations

By Appropriations Committee, Select Committee on PPACA (Patient Protection and Affordable Care Act) and Representative(s) Cummings, Hudson—

CS for HB 7169—A bill to be entitled An act relating to the Florida Health Choices Plus Program; amending s. 408.910, F.S.; providing that all employers who meet the requirements of the Florida Health Choices Program are eligible to enroll in the Florida Health Choices Plus Pro-

gram; requiring participating employers to make a defined contribution with certain conditions; providing that individuals and employees of enrolled employers are eligible to participate in the program; providing that vendors may not refuse to sell any offered product or service to any participant in the program; providing that product prices shall be based on criteria established by the Florida Health Choices, Inc.; providing that certain forms, website design, and marketing communication developed by the Florida Health Choices, Inc., are not subject to the Florida Insurance Code; creating s. 408.9105, F.S.; creating the Florida Health Choices Plus Program; providing definitions; providing eligibility requirements; providing exceptions to such requirements in specific situations; requiring the Department of Children and Families to determine eligibility; providing for enrollment in the program; establishing open enrollment periods; requiring cessation of enrollment under certain circumstances; providing that participation in the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring an education and outreach campaign; requiring certain joint activities by the Florida Health Choices, Inc., and the Florida Healthy Kids Corporation; providing for a state benefit allowance, subject to an appropriation; requiring an individual contribution; providing for disenrollment in specific situations; allowing contributions from certain other entities; providing requirements and procedures for use of funds; providing for refunds; requiring the corporation to submit to the Governor and Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; creating a task force and providing its mission; establishing membership in the task force and providing for its expiration; amending s. 641.402, F.S.; authorizing prepaid health clinics to offer specified hospital services under certain circumstances; providing appropriations; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Judiciary Committee and Representative(s) Spano, Kerner, McGhee—

CS for HB 1327—A bill to be entitled An act relating to public records; amending s. 943.0583, F.S.; providing an exemption from public records requirements for criminal history records of victims of human trafficking expunged under s. 943.0583, F.S.; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Accountability; and Rules.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1842.

Robert L. "Bob" Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 25 was corrected and approved.

CO-INTRODUCERS

Senators Bean—CS for CS for SB 92; Brandes—CS for SB 1000; Sachs—SB 936

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 12:52 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 12:00 p.m., Monday, April 29 or upon call of the President.

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**SENATE BILLS, RESOLUTIONS AND MEMORIALS BY NUMBER
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(To Obtain the Number of a Bill, see Subject Index)

Abbreviations

BA — Bill Action
Ch. — Chapter Number, Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute
FR — First Reading
MO — Motion
RC — Reference Change
Boldfaced Page Numbers — Passage of Bill

Final Disposition

Adopted
CBP — Companion Bill Passed
DCC — Died in Conference Committee
DCH — Died on House Calendar
DCS — Died on Senate Calendar
DHC — Died in House Committee
DM — Died in Messages
DNI — Died, Not Introduced
DPR — Died Pending Reference Review
DSC — Died in Senate Committee
FPH — Failed to Pass House
FPS — Failed to Pass Senate
LTH — Laid on Table in House
LTS — Laid on Table in Senate
Passed
UHC — Unfavorable Report, House Committee
USC — Unfavorable Report, Senate Committee
Vetoed
WNI — Withdrawn, Not Introduced
WS — Withdrawn from the Senate

Types of Bills

SB/HB — Senate/House Bill
SCR/HCR — Senate/House Concurrent Resolution
SJR/HJR — Senate/House Joint Resolution
SM/HM — Senate/House Memorial
SR — Senate Resolution

<p>SB</p> <p>2 Ethics (Rules and others) (BA)6, (CO)8, (FR)8, (CS)104, (CR)111, (CR)112, (CR)114, 561, (BA)574, 575, 591, 1050 Ch. 2013-36 CBP-CS/SB 4</p> <p>4 Public Records and Meetings (Governmental Oversight and Accountability and Ethics and Elections) (BA)8, (FR)9, (CS)105, (CR)111, (CR)113, (CR)114, 590 Ch. 2013-38 CBP-CS/SB 2</p> <p>6 Not Used</p> <p>8 Not Used</p> <p>10 Not Used</p> <p>12 Relief of Mark T. and Sharon L. Sawicki by the City of Tallahassee (Montford) (FR)9 DSC</p> <p>14 Relief of Dennis Darling, Sr. and Wendy Smith by the State of Florida (Joyner) (FR)9 DSC</p> <p>16 Relief of Jennifer Wohlgenuth by the Pasco County Sheriff's Office (Montford) (FR)10 DSC</p> <p>18 Relief of Yvonne Morton by the Department of Health (Montford) (FR)10 DSC</p> <p>20 Relief of Marcus Button by the Pasco County School Board (Diaz de la Portilla) (FR)10 DSC</p> <p>22 Relief of Carl Abbott by the Palm Beach County School Board (Negrón) (FR)10 DSC</p> <p>24 Relief of L.T., a Minor, by the Department of Children and Families (Ring) (FR)10 DSC</p> <p>26 Relief of the Estate of Dr. Sherrill Lynn Aversa by the Department of Transportation (Altman) (FR)10 DSC</p> <p>28 Relief of Charles Pandrea by the North Broward Hospital District (Diaz de la Portilla) (FR)10 DSC</p> <p>30 Relief of Altavious Carter by the Palm Beach County School Board (Flores) (FR)10 DSC</p> <p>32 Relief of Melvin and Alma Colindres by the City of Miami (Flores) (FR)10 DSC</p> <p>34 Relief of Thomas and Karen Brandi by the City of Haines City (Diaz de la Portilla) (FR)10 DSC</p> <p>36 Relief of Maricelly Lopez by the City of North Miami (Flores) (FR)242 DSC</p> <p>38 Relief/Amie Draiemann Stephenson, Hailey Morgan Stephenson, and Christian Darby Stephenson, II/Department of Transportation (Flores) (FR)10 DSC</p> <p>40 Relief of Javier Soria by Palm Beach County (Braynon) (FR)11 DSC</p>	<p>SB</p> <p>42 Relief of Ramiro Companioni by the City of Tampa (Braynon) (FR)11 DSC</p> <p>44 Relief of Ronald Miller by the City of Hollywood (Sobel) (FR)242 DSC</p> <p>46 Not Used</p> <p>48 DNI</p> <p>50 Public Meetings (Rules and others) (FR)11, (CS)105, (CR)112, (CR)113, (CR)157, (CS/CS)186, (BA)194, (BA)226, 986 Ch. 2013-227</p> <p>52 Use of Wireless Communications Devices While Driving (Judiciary and others) (FR)11, (CS)105, (CR)113, (CR)157, (CS/CS)186, (CO)293, (CR)398, (CS/CS/CS)398, (CO)439, (BA)445, (MO)445, (CR)476, 1032 Ch. 2013-58</p> <p>SCR</p> <p>54 Equal Rights for Men and Women (Joyner and others) (FR)11 DSC</p> <p>SB</p> <p>56 Infant Death (Children, Families, and Elder Affairs and Hays) (FR)11, (CR)112, (CR)210, (CS)211, (BA)270, (CR)273, (BA)310, 885, 886 Ch. 2013-62</p> <p>58 Application of Foreign Law in Certain Cases (Governmental Oversight and Accountability and others) (FR)11, (CR)196, (CS)198, (CR)240, (CS/CS)243, (CR)363, (MO)881, (BA)1019, (BA)1048, (BA)1049, (CR)1050 LTS</p> <p>60 Public Records/Identifying Information of Department of Health Personnel (Health Policy and Hays) (FR)11, (CS)105, (CR)113, (CR)208, (CR)240, (BA)265, (CR)273, (BA)305 DCH</p> <p>62 Low-speed Vehicles (Appropriations and others) (FR)12, (CS)105, (CR)112, (CR)113, (CR)114, (CR)196, (CS/CS)198, (CO)220, (BA)228, (CR)229, (BA)261, 986 Ch. 2013-161</p> <p>64 Commercial Parasailing (Regulated Industries and others) (FR)12, (CR)279, (CS)281 DSC</p> <p>66 Child Safety Devices in Motor Vehicles (Altman and others) (FR)12, (CO)220 DSC</p> <p>SCR</p> <p>68 WNI</p> <p>SB</p> <p>70 Employment Discrimination (Joyner) (FR)12 DSC</p> <p>72 Employment Discrimination Against the Unemployed (Joyner) (FR)12 DSC</p>
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76 Workforce Education Programs (Flores) (FR)12 DSC/CBP-CS/CS/SB 1076
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78 Income Tax and National Retail Sales Tax (Hays) (FR)13 DSC
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- 262 Delivery of Insurance Policies (Banking and Insurance and Smith) (FR)24, (CR)346, (CS)351, (CR)477, (CR)480, (BA)724, (BA)725, (CR)783 LTS/CBP-CS/HB 157
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426 Esophageal Cancer Awareness Month (Montford) (FR)442 Adopted CBP-HR 9033
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428 Public School Student Participation in Fine Arts Courses (Detert) (FR)33 DSC
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430 Harriet Ross Tubman (Thompson and others) (FR)5 Adopted CBP-HR 9015
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- 524 Common Core State Standards (Thompson) (FR)40 DSC
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- 550 Collection of Worthless Payment Instruments (Banking and Insurance and Simpson) (FR)42, (CR)346, (CS)352, (CR)476, (MO)881, (BA)1021, (BA)1022, (CR)1050 LTS/CBP-CS/CS/HB 457
- 552 Human Trafficking (Braynon) (FR)42, (CR)278 DSC
- 554 Brownfields (Community Affairs and others) (FR)42, (CR)209, (CS)213, (CR)346, (CS/CS)352, (CR)422 DSC
- 556 Clerks of the Court (Appropriations and others) (FR)42, (CR)196, (CS)201, (CR)240, (CS/CS)246, (CR)364, (CR)481, (CS/CS/CS)484, (BA)608, (CR)658, (BA)**692**, 986 Ch. 2013-109
- 558 Letters of Credit Issued by a Federal Home Loan Bank (Detert) (FR)42, (CR)112, (CR)239, (BA)263, (CR)273, (BA)**302**, 881 Ch. 2013-129
- 560 Natural Gas Motor Fuel (Appropriations and others) (FR)42, (CS)110, (CR)113, (CO)238, (CO)257, (CR)279, (CR)481, (CS/CS)484, (BA)768, (CR)783 LTS/CBP-CS/CS/HB 579, CS/SB 406
- 562 Tax-exempt Income (Hukill) (FR)43, (CR)156 DSC
- 564 Neighborhood Improvement Districts (Community Affairs and others) (FR)43, (CR)195, (CS)201, (CO)207, (CR)364 DSC
- 566 Security of Protected Consumer Information (Commerce and Tourism and Detert) (FR)43, (CR)239, (CR)279, (CS)283 DSC
- SR
568 Women's History Month (Joyner) (FR)222, **223** Adopted CBP-HR 9005

- SJR
570 Revising Age Limits for Justices and Judges (Bradley and Simmons) (FR)43 DSC
- SB
572 Reporting Requirements for Economic Development Programs (Commerce and Tourism and others) (FR)43, (CR)157, (CS)186, (CO)220, (CR)422 DSC/CBP-CS/CS/HB 7007, CS/SB 406
- 574 Enterprise Zones (Sachs) (FR)44 DSC
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576 Bill McBride, Esquire (Joyner) (FR)987, **988** Adopted CBP-HR 9135
- SB
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- 582 Manufacturing Development (Appropriations and others) (FR)44, (CR)346, (CS)352, (CR)397, (CR)481, (CR)658, (CS/CS)660, (BA)726, (CR)783 LTS/CBP-CS/HB 357
- 584 Purchase of Land by a Governmental Entity (Hays and Evers) (FR)44 DSC
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- 588 Lease of Sovereignty Submerged Lands for Private Docks (Brandes and Richter) (FR)44 DSC
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- 594 Health Care Accreditation (Rules and others) (FR)45, (CR)239, (CR)480, (CS)485, (CR)577, (CS/CS)578, (BA)726, (CR)783 LTS/CBP-CS/HB 1071
- 596 Homeowners' Associations (Hays) (FR)45 DSC/CBP-CS/CS/CS/HB 73, CS/HB 7119
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- 612 Health Care Practitioners (Health Policy and Galvano) (FR)46, (CR)157, (CS)186, (RC)206 DSC
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- 618 Gasoline Stations (Children, Families, and Elder Affairs and Ring) (FR)47, (CR)230, (CS)231 DSC
- 620 Surcharge on Cigarettes (Ring) (FR)47 DSC
- 622 Use of Deadly Force in Defense of a Person (Bullard) (FR)47 DSC
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- 626 Bullying in the Public School System (Education and Bullard) (FR)47, (CR)209, (CS)214, (CR)477, (CR)480, (BA)725, (MO)725, (CR)881 LTS/CBP-CS/CS/HB 609
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- 642 Alcoholic Beverages (Appropriations and others) (FR)48, (CR)346, (CS)353, (RC)367, (CR)481, (CS/CS)485, (BA)598, (CR)658 LTS/CBP-CS/CS/HB 347
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- 646 Assisted Living Facilities (Health Policy and Children, Families, and Elder Affairs) (FR)48, (CR)196, (CS)201, (CR)278, (BA)388, (CR)396, (BA)407, **408** DM
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- SB
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- 764 School District Educational Programs (Abruzzo) (FR)56 DSC
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- SB
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- SB
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 1762 State Technology (Appropriations and Governmental Oversight and Accountability) (FR)197, (CR)241, (CR)279, (CS)289, (BA)313, (BA)314, (CR)345, (BA)371, (BA)373, 374, (MO)388, 396, 439 DCC/CBP-SB 1500
 1764 Transparency in Government Spending (Governmental Oversight and Accountability) (FR)197, (CR)208, (BA)228, (BA)229, (CR)229, (BA)261, 262 DM/CBP-HB 5401
 1766 Driver Licenses (Transportation) (FR)197, (CR)209, (BA)227, (CR)229, (BA)260 LTS/CBP-HB 7059
 1768 OGSR/Paratransit Services/Personal Information (Governmental Oversight and Accountability and Transportation) (FR)197, (CR)241, (CS)255, (CR)397, (CR)476, (BA)541, (BA)647, 881 Ch. 2013-69
 1770 Property Insurance (Appropriations and Banking and Insurance) (FR)197, (CR)241, (CR)363, (CS)366, (CR)396, (BA)415, (BA)421, (BA)445, (BA)554, (BA)625, 644, 990, (BA)1004 Ch. 2013-60 CBP-SB 1850
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 1772 Honorable Frederick Fred Brennan Karl (Joyner) (FR)188, 189 Adopted CBP-HR 9011
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 1774 Florida Keys Aqueduct Authority, Monroe County (Bullard) (FR)198 DSC
 1776 Public Records/Hydraulic Fracturing Chemical Registry/Department of Environment Protection (Clemens) (FR)211 DSC
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 1778 Aaron Cohen Bike Safety Awareness Month (Garcia) (FR)258 Adopted
 1780 UCF Day/University of Central Florida's 50th Anniversary (Gardiner) (FR)223 Adopted CBP-HR 9119
 1782 Guardian ad Litem Day (Hays) (FR)294, 295 Adopted CBP-HR 9055
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 1784 Military Installations (Military and Veterans Affairs, Space, and Domestic Security and Brandes) (FR)231, (CR)277, (CR)397, (CR)476, (CO)479, (BA)542, (BA)647, 881 Ch. 2013-222
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 1786 Herbert Wertheim College of Medicine/Florida International University (Flores) (FR)406, 407 Adopted CBP-HR 9023
 1788 Springs Protection Awareness Month (Dean and Soto) (FR)295, 296, (CO)362 Adopted CBP-HR 9127
 1790 Spinal Cord Injury Awareness Week (Garcia) (FR)370 Adopted CBP-HR 9059
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 1792 Medical Negligence Actions (Judiciary) (FR)242, (CR)278, (BA)389, (BA)394, (BA)395, (BA)396, (CR)396, (BA)409, 986 Ch. 2013-108
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 1794 The Links, Incorporated, Day (Joyner) (FR)296 Adopted

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1796 Lee County Tourist Development Council (Richter) (FR)280 DSC/CBP-CS/HB 1007
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1798 YWCA of Tampa Bay, Inc. (Joyner) (FR)514, **515** Adopted
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1800 OGSR/Employment Discrimination Complaints (Governmental Oversight and Accountability) (FR)242, (CR)480, (BA)554, (CR)577, (BA)656 LTS/CBP-HB 7145
- 1802 State Employee Health Insurance (Governmental Oversight and Accountability) (FR)242, (CR)346, (BA)**386**, (MO)388, (CR)396, 439, 1105, **1107**, 1403 Ch. 2013-52 CBP-SB 1500, SB 1502
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1804 Jeff Penuel/Carr Family Cabin (Hays) (FR)**296** Adopted
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1806 Total Maximum Daily Loads (Environmental Preservation and Conservation) (FR)273, (CR)397, (BA)474, (CR)476, (BA)**559**, 986 Ch. 2013-70
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- 1810 Florida Retirement System (Governmental Oversight and Accountability) (FR)243, (CR)346, (BA)**386**, (MO)388, (CR)396, 439, 1107, **1109**, 1403 Ch. 2013-53 CBP-SB 1500
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1812 Alpha Kappa Alpha Sorority, Inc. (Thompson) (FR)296, **297** Adopted CBP-HR 9067
- 1814 DNI
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1816 Health Care (Appropriations and Appropriations) (FR)273, (CR)481, (CR)658, (CS)668, (BA)739, (BA)740, (CR)783 LTS
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1820 Miami-Dade County Days at the Capitol (Margolis) (FR)**295** Adopted CBP-HR 9057
- 1822 Delta Sigma Theta Sorority, Inc. (Joyner) (FR)**297** Adopted CBP-HR 9073
- 1824 DNI
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1826 Joint Legislative Task Force on Turkish and Florida Relations (Garcia) (FR)398 DSC
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1828 Tax Administration (Appropriations and Appropriations) (FR)280, (CR)481, (CS)498, (BA)623, (BA)624, (CR)658, (BA)**701**, (BA)1005, 1026, **1032** DM/CBP-CS/CS/CS/HB 999, CS/CS/SB 492
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- 1832 Taxation (Appropriations and others) (FR)281, (CO)367, (CR)480, (BA)517, (MO)**518**, (CR)577, (CO)675 DCH
- 1834 Crossover Youth (Children, Families, and Elder Affairs) (FR)281, (CR)476 DSC
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1836 The Year of Italian Culture (Sachs and others) (CO)439, (FR)593, **594** Adopted
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1838 Homestead Property Tax Exemptions (Military and Veterans Affairs, Space, and Domestic Security) (FR)349, (CR)481 DSC/CBP-SB 1830
- 1840 Development Permits (Rules and others) (FR)349, (CR)398, (CS)404, (CR)481, (CS/CS)498, (BA)808, (CR)881, (BA)892, (BA)960 LTS/CBP-CS/CS/HB 269, CS/CS/CS/HB 375, CS/HB 7019
- 1842 Health Insurance (Appropriations and Banking and Insurance) (FR)349, (CR)481, (CS)498, (BA)541, **542**, (CR)577, (MO)577, 710 Ch. 2013-101 CBP-CS/SB 648
- 1844 Florida Health Choices Program (Appropriations and Health Policy) (FR)350, (CR)481, (CR)658, (CS)669, (BA)733, **734**, (CR)783, 986 Ch. 2013-110
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1846 Phi Theta Kappa 2013 All-Florida Academic Team (Galvano) (FR)368, **369** Adopted CBP-HR 9049
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1848 Public Records/Inspector General/Citizens Property Insurance Corporation (Banking and Insurance) (FR)350, (CR)397, (CR)480, (BA)551, (BA)552, (CR)577, (BA)**655** DM/CBP-CS/SB 1770
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- 1852 Funding from the National Mortgage Settlement (Appropriations) (FR)364, (CR)480, (BA)542, (CR)577, (BA)596, (BA)603, (BA)606, (BA)**682**, (MO)708, 881 Ch. 2013-106
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1854 Franco-Floridian Relationships/Florida's Rich French Heritage (Flores) (FR)**594** Adopted CBP-HR 9137
- 1856 DNI
- 1858 University of Miami Men's Hurricanes Basketball Day (Braynon) (FR)**515** Adopted CBP-HR 9089
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1860 Drug Trafficking (Criminal Justice) (FR)398 DSC
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1862 Florida Gulf Coast University Men's Basketball Team (Benacquisto and Richter) (CO)439, (FR)513, **514** Adopted CBP-HR 9109
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1868 Public Records/Payment Instrument Transaction/Office of Financial Regulation (Governmental Oversight and Accountability and Bean) (FR)423, (CR)480, (CR)481, (CS)499, (BA)726, (BA)727, (BA)728, (CR)783 LTS/CBP-CS/HB 7135, CS/CS/HB 217
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1870 Margarita Romo (Simpson) (FR)**514** Adopted
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- 1876 Clearwater Beach (Latvala) (FR)**515** Adopted
- 1878 Armenian Martyrs Remembrance Day (Latvala) (FR)515, **516** Adopted
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- 1882 Advent Christian Village (Dean) (FR)**516** Adopted CBP-HR 9101
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- 1886 Public Records/Bodily Injury Liability Insurance Policies (Banking and Insurance) (FR)481 DSC
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- 1892 Florida Association for Behavior Analysis/Florida Behavior Analysis Week (Legg) (FR)**594** Adopted CBP-HR 9125
- 1894 I Am Florida/The Swanee River (Old Folks at Home) (Bean) (FR)578 DSC/CBP-SR 1914
- 1896 40th Anniversary of Pasco-Hernando Community College (Legg) (FR)**677** Adopted CBP-HR 9107
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- 1902 Honorable James "Jim" Albaugh Lenfestey (Lee and Joyner) (FR)592, **593** Adopted
- 1904 Dystonia Awareness Month (Bradley) (FR)**882** Adopted
- 1906 Enrique Emilio Ros Perez (Diaz de la Portilla) (FR)**795** Adopted
- 1908 Bishop Rudolph W. McKissick, Sr. (Gibson) (FR)882, **883** Adopted CBP-HR 9069
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1920 Irish People/Reunification (Simmons) (FR)**1053** Adopted
1922 Lake Worth Centennial Day (Clemens) (FR)**1053** Adopted

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1926 Tuskegee Airman Cornelius Davis (Montford and others) (FR)
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